FEDERAL REGISTER

VOLUME 18 NUMBER 17

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TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. 28]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

COPPER AND COPPER-BASE ALLOY

Section 273.51 *Supplement 1, Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended in the following particulars:

a. The following entries and related submission dates for the Fourth Quarter, 1952 are deleted:

Dept. of Commerce Schedule B No.	Commodity	Submission dates, fourth quarter, 1952
641300-644000	Copper and copper-base alloy scrap (except No. 1 copper scrap and brass mill scrap).	Sept. 1-Sept. 15, 1952.

b. The following submission date for the First Quarter, 1953 is added:

Dept. of Commerce Schedule B No.	Commodity	Submission dates, first quarter, 1953
644100	Copper-base alloy, ingot form.	Jan. 27-Feb. 12, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

This amendment shall become effective as of January 26, 1953.

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 53-901; Filed, Jan. 26, 1953; 8:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A—REGISTRATION AND RESEARCH

SPECIAL CONSIDERATIONS AFTER STATUTORY DELIMITING DATE; CHANGE OF INSTITUTION

In § 21.36, a new paragraph (f) is added as follows:

§ 21.36 *Special considerations concerning the pursuit of education or training after the statutory delimiting date.*

* * *

(f) *Change of institution.* Where for any reason an eligible veteran interrupts his course and changes to another institution to pursue the same course, the period intervening the interruption of his course and the resumption thereof under the law in the second institution will be held to be a period of interruption for a valid reason within the meaning of § 21.35 (c) *Provided,* (1) That the veteran continues in active pursuit of his course until the cause for interruption actually occurs (or until it is known that it is certain to occur at a time which would make it impracticable or unreasonable to continue in the same institution, e. g., where interruption will occur during the immediately ensuing term or semester at a point which would not permit the granting of full credit by the institution) (2) That he resumes his course under the law in the second institution within 30 days or not later than the first date as of which students are admitted in the course in the second institution, whichever is the later, and (3) That his request for a change of institution (formal or informal) is received in the Veterans' Administration on or before the date as of which he must have resumed his course.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500-1504,

(Continued on next page)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3	Page
Chapter II (Executive orders)	
5582 (revoked in part by PLO 880)	567
Title 15	
Chapter III.	
Part 373	565
Title 38	
Chapter I.	
Part 21	565
Title 39	
Chapter I:	
Part 135	566
Title 41	
Chapter II.	
Part 202 (proposed) (3 documents)	569, 572, 575
Title 43	
Chapter I:	
Appendix (Public land orders)	
880	567
Title 45	
Chapter I.	
Part 105	568

1506, 1507, 58 Stat. 286, 300, as amended; 38 U. S. C. 693g, 697–697d, 697f, g, ch. 12 note)

This regulation is effective January 27, 1953.

[SEAL] H. V STIRLING,
Deputy Administrator.

[F. R. Doc. 53-902; Filed, Jan. 26, 1953; 8:53 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 135—GENERAL

PREFERMENT OF CHARGES; VETERAN PREFERENCE

a. Amend § 135.44 *Preferment of charges* to read as follows:

§ 135.44 *Preferment of charges*—(a) *Requirements.* (1) No employee who has completed his probationary or trial period shall be discharged, suspended, furloughed without pay, or reduced in rank or compensation except for such cause as will promote the efficiency of the service.

(2) In all cases where the facts justify a recommendation for removal from the service, reduction in grade, suspension, or other disciplinary action with respect to any employee who has completed a probationary or trial period, charges shall be preferred in writing. The letter of charges must be complete and in full justification of the recommendation.

(b) *Emergency cases.* (1) In emergency cases, or when reasonable grounds exist to believe that an employee has committed an offense involving moral turpitude or tending to bring the service into disrepute or disrespect, requiring prompt suspension for 30 days or less, the employee may be required to answer the charges and submit affidavits within such time as under the circumstances would be reasonable, but not less than 24 hours. A preference eligible employee may not be suspended for more than 30 days under this emergency procedure.

(2) In cases where the circumstances are such that the retention of the employee in an active-duty status in his position, pending decision on the charges, may result in damage to Government property, may be detrimental to the interests of the Government, injurious to the employee, his fellow workers or the general public, the employee may be temporarily assigned to duties in which these conditions would not exist; placed on annual leave without his consent, provided he has sufficient leave to his credit to cover the required period; or placed on leave without pay with his consent.

(3) In cases where suspension is imperative and it is not possible to follow any of the procedures outlined in subparagraph (2) of this paragraph, written charges must be preferred against the employee immediately and the employee notified he is being given 24 hours in which to reply to the charges; and that it is proposed to suspend him from duty at the close of business on the following day pending final determination in the case.

(4) If the employee answers in writing within the time allotted, his answer must be considered and if it is still the opinion of the postmaster that the employee should be suspended, a further letter should be addressed to the employee notifying him that he is being suspended at the close of business on the day the 24-hour period expires. The same procedure should be followed if the employee fails to reply at the end of the 24-hour period. In such cases, the employee should be carried in a pay status until his suspension becomes effective, unless he was placed on leave without pay with his consent.

(5) In handling emergent cases, the postmaster shall report promptly by telegraph to the Department the essential facts, together with the action taken or recommended. When as a result of investigation by a post office inspector it appears that an employee should be suspended, the inspector shall report promptly by telegraph or TWX to the Chief Post Office Inspector the essential facts and the action taken or recommended by the postmaster.

(6) Inasmuch as an employee should not be disciplined twice for the same offense, care must be exercised not to include, in the letter of charges as a numbered charge, offenses that have been considered in the past and on which definite action has been taken. However, if it is proposed to consider his past record with a view to applying a more severe penalty than would ordinarily be imposed on the charges under consideration, offenses which have caused disciplinary action should be mentioned in the letter of charges, but only for the purposes of illustrating the fact that desired and expected improvement from past actions has not been realized.

b. In § 135.46 *Type 1, employees not entitled to veteran preference* amend paragraphs (d) and (e) to read as follows:

(d) *Delivery of letter of charges.* The letter of charges must, in all cases, be delivered in such a way that the fact of delivery or the attempt of delivery can be established without question. Therefore, the letter of charges should be delivered in person and the employee required to sign and date a copy thereof. If delivery is not effected in this manner, the letter of charges shall be sent by official registered mail and a signed receipt obtained therefor. The signed receipt showing date on which delivery was effected, or the "unclaimed" letter if delivery is not effected, should be submitted to the Department with the report of the postmaster.

(e) *Report to Department.* The postmaster should wait a reasonable time for a reply after expiration of the time limit before submitting his report in order to allow for factors beyond control of the employee. Otherwise, a recommendation for removal or other disciplinary action may amount to a judgment of the case without all the facts. The report of the postmaster to the Department and the letter of charges must agree as to the details of a charge. If further investigation is necessary to substantiate or disprove evidence submitted by the employee it should be made. Generally, the postmaster or a key supervisor should interview the offending employee to determine whether all the facts have been obtained and are as represented. The postmaster should comment in his report to the Department on all facts or allegations presented by the employee. If the employee answers the charges, his answer must be transmitted to the Department with the report submitted by the postmaster. After consideration of the report and the employee's answer the Department will notify the postmaster of its decision.

c. In § 135.47 *Type 2; employees entitled to veteran preference* make the following changes:

1. Amend paragraph (d) (1) by striking out "§ 135.44 (b) (2) (ii) " and inserting in lieu thereof "§ 135.44 (b) (3), (4) "

2. Add the following new subparagraph to paragraph (d)

(4) Whenever a statement by a supervisor or employee is to be used in a charge case involving a veteran preference employee, such statement must be an affidavit executed before the postmaster; become a part of the file and submitted to the Department with the report of the postmaster.

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[P. R. Doc. 53-666; Filed, Jan. 26, 1953; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 839]

ALASKA

PARTIALLY REVOKING THE WITHDRAWAL OF COAL LANDS MADE BY EXECUTIVE ORDER NO. 5582 OF MARCH 18, 1931

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (c. 421, 36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4931) it is ordered as follows:

Executive Order No. 5582 of March 18, 1931, temporarily withdrawing certain public lands in Alaska and reserving them for the purposes of investigation, examination, and classification, is hereby revoked so far as it affects the following-described lands:

SEWARD MERIDIAN

T. 20 N., R. 7 E.,
Secs. 1 to 4, inclusive, and sec. 12, unsurveyed;
Secs. 9, 10, 11, 13, 14, 15, and 24.
T. 20 N., R. 8 E.,
Secs. 7 to 10, inclusive, and sec. 15, unsurveyed;
Secs. 16 to 22, inclusive;
Sec. 27;
Sec. 28, E½NE¼, NW¼NE¼, W½SE¼ NW¼, N½NW¼, SW¼NW¼, and S½, Sec. 29.

The areas described aggregate approximately 17,000 acres.

The above-described lands are situated in mountainous country in the upper Matanuska watershed. Some reserves of high-grade coal exist in the area which are generally of irregular character and broken condition.

No application for the surveyed lands described may be allowed under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At 10 a. m. on the 35th day after the date of this order the unappropriated, unreserved, unsurveyed public lands affected by this order shall be opened to settlement under the homestead laws or, if nonmineral in character, under the Alaska Home Site act of May 26, 1934

(48 Stat. 809; 43 U. S. C. 461) and to those forms of appropriation only by qualified veterans of World War II for whose services recognition is granted by the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284) as amended, and by other qualified persons entitled to credit for service under the said act. Commencing at 10 a. m. on the 126th day after the date of this order, any of such lands not settled upon by veterans or other persons entitled to credit for service shall become subject to settlement and other forms of appropriation by the public generally in accordance with appropriate laws and regulations.

At 10:00 a. m. on the 35th day after the date of this order the surveyed public lands released by this order shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the surveyed public lands affected by this order shall be subject only to (1) application under the homestead laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended or, if nonmineral in character, under the said Alaska Home Site Act of May 26, 1934, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall acompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Bureau of Land Management, Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 65 and 66 of Title 43 of the Code of Federal Regulations, and applications under the said Alaska Home Site Act of May 26, 1934, and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in §§ 64.6 to 64.10, inclusive, and Part 257, respectively of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

JOEL D. WOLFSOHN,
Assistant Secretary of the Interior

JANUARY 21, 1953.

[F. R. Doc. 53-877; Filed, Jan. 26, 1953; 8:49 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 105—FINANCIAL ASSISTANCE FOR CURRENT EXPENDITURES FOR PUBLIC SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES

NECESSITY OF FINAL REPORTS

Section 105.24 (17 F R. 1943) is amended by providing that only for those fiscal years for which the Commissioner is required to reduce payments because of insufficient appropriations shall there be no further certifications of payment unless the final report has been received by the Commissioner on or before September 30 of a fiscal year. The section as so amended reads as follows:

§ 105.24 *Necessity of final reports*—(a) *Submission of final reports.* For each fiscal year, all applicants shall submit on forms prescribed by the Commissioner a final report to enable the Commissioner to determine the amount to which the applicant is entitled under the act. Such final report shall be submitted to the Commissioner on or before the thirtieth day of September following the fiscal year for which payment is requested. No certification of payment shall be made after the thirtieth day of September in any year until the final report for the preceding fiscal year has been received. Until such report has been received in proper form, no further certification for payment to the applicant shall be made under the provisions of Public Law 874 for any subsequent fiscal year.

(b) *Failure to submit final report when appropriations insufficient.* Unless the final report for any fiscal year for which the Commissioner is required to reduce the amounts which he certifies for payment because the funds appropriated are insufficient to pay in full the total amounts to which all applicants are entitled has been received by the Commissioner on or before the thirtieth day of September following such fiscal year, an applicant shall not be entitled to any further certification for payment out of funds then available for such fiscal year.

(c) *Excessive estimated entitlement.* The Commissioner may disallow any portion of the estimated entitlement for a fiscal year for which no final report has been received as he may determine to be excessive on the basis of such information as is available. Whether or not a report has been submitted, if an applicant is found, after the thirtieth day of September following the close of the fiscal year, on the basis of all available information, to have received funds in excess of its entitlement for such fiscal year, such excess will be deducted from subsequent certifications for payment to the applicant or, where no certifications are due, the applicant will be required to refund such excess to the United States through the Commissioner.

(Sec. 7, 64 Stat. 1107; 20 U. S. C. 242. Interprets or applies sec. 5, 64 Stat. 1106; 20 U. S. C. 240)

[SEAL] EARL J. MCGRATH,
United States Commissioner of Education.

Approved: January 19, 1953.

OSCAR R. EWING,
Federal Security Administrator

[F. R. Doc. 53-872; Filed, Jan. 26, 1953; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 202]

MINIMUM WAGE DETERMINATIONS

DETERMINATION OF PREVAILING MINIMUM WAGE FOR METAL FURNITURE BRANCH OF FURNITURE INDUSTRY

This matter is before the Department pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C. 35) as amended by the Defense Production Act Amendments of 1952 (sec. 310, Pub. Law 429, 82d Cong.) entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," and known as the Walsh-Healey Public Contracts Act. The currently effective wage determination (15 F. R. 382) as editorially revised (15 F. R. 4640; 41 CFR 202.27) was based upon information indicating that substantially all employees in the furniture manufacturing industry are engaged in commerce or in the production of goods for commerce as defined in the Fair Labor Standards Act, as amended, and thus came under the minimum wage provisions of that act which require payment of a wage rate of not less than 75 cents an hour on or after January 25, 1950. A survey of selected metal business furniture and storage equipment manufacturing establishments (entitled Earnings in the Metal Business Equipment Industry, July 1951) made by the Bureau of Labor Statistics (hereinafter referred to as the BLS survey) indicated that the 75-cent rate now in effect might not reflect the prevailing minimum wage in establishments manufacturing such products. This proceeding was, therefore, initiated for the purpose of considering an amendment to the determination of the metal furniture branch of the furniture industry, which will reflect the minimum wages now prevailing in establishments producing metal business furniture and storage equipment (hereinafter referred to as the industry). Most of these products are included in the metal furniture branch of the furniture industry.

General. Notice of a hearing in this matter to be held on June 24, 1952 was published in the FEDERAL REGISTER on April 3, 1952 (17 F R. 2895) Copies of the notice and a press release announcing the hearing were mailed to trade associations, unions, and to individual companies in the industry. In addition, the press release was distributed to newspapers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offer testimony: (1) as to what are the prevailing minimum wages in the industry: (2) as to whether there should be included in any determination for this industry provision for employment of learners, beginners (or probationary workers) and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates, and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees; and (3) as to the adequacy of the proposed definition.

The hearing was held on June 24, 1952 pursuant to the notice. Representatives of employees and employers appeared at the hearing to present evidence and testimony, and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs.

Management appearances at the hearing included representatives of the Office Equipment Manufacturers Institute and of several individual manufacturers in the industry. Labor appearances included representatives of the International Association of Machinists (AFL) and the American Federation of Labor.

In addition to the evidence and testimony presented at the hearing, the Office Equipment Manufacturers Institute submitted a brief for the record following the close of the hearing. All such material has been made part of the record herein. The hearing record was closed as of September 4, 1952.

Definition. In accord with the suggestion of industry representatives at an informal panel conference held on November 30, 1950, this industry was tentatively entitled the metal business equipment industry for purposes of both the wage survey conducted by the Bureau of Labor Statistics and the notice of hearing in these proceedings. However, after consideration of the products included in the proposed definition of the industry, I conclude that the title "metal business equipment industry" may give rise to some misunderstanding as to the scope of the definition, particularly with respect to such products as office machines and small hand office devices. These products are not intended to be within the scope of the definition of this industry. It is proposed, therefore, that this industry be entitled the metal business furniture and storage equipment industry, a title which reflects more accurately the products of the industry.

The definition proposed for adoption in the notice of hearing reads as follows: The metal business equipment industry for the purpose of this hearing is defined as that industry which manufactures or furnishes any metal business equipment, including but not limited to, the following products: (1) Bank counters; benches; stools; bookcases; chairs; desks; desk trays; filing boxes, cabinets and cases; cabinets for printers' type; storage cabinets; cabinet partitions; tables; visible business equipment; wardrobes; and waste baskets; (2) lockers; racks; and industrial and general-purpose shelving; (3) rotating bins and sectional bins; tool boxes, tool cabinets and tool chests; metal boxes, metal chests and metal cases.

Except for the exclusion of metal hospital and metal household furniture, the proposed definition covers substantially the same products as are now included in the definition contained in the current determination for the metal furniture branch of the furniture industry (15 F. R. 4640). The exclusion of those items is amply supported by the record which shows that metal hospital and metal household furniture are not commonly manufactured by firms which produce metal business furniture and storage equipment. On the basis of the record, therefore, I conclude that the manufacture of metal hospital furniture and metal household furniture is property excluded from the definition of this industry.

At the hearing the Office Equipment Manufacturers Institute urged the addition of language specifically excluding products described as "consumable supply items" and that the word "metal" be inserted before the enumeration of the included products. The Institute representatives at the hearing offered an extensive list of consumable supply items such as cards, binders, filing folders, bindings, file compression guides, index tabs, card guides, index guides, index cards, acetate pockets, chair pads and cushions, desk pads, filing envelopes, file labels, file pockets, file signals, flexoline, gummed filing labels, kraft pockets, inserts, index signals, index tabs, coathangers, signals and plastic label holders. These items are clearly not intended to be included within the scope of the definition of the industry. In view of this fact it would appear that general language excluding all consumable supply items would better serve the purpose of the Institute than inclusion in the definition of a lengthy enumeration of specific consumable supply items.

In all other respects, there was agreement on the part of both labor and management that the definition, as proposed in the notice of hearing, accurately and adequately describes the products of this industry.

It is proposed, therefore, that the industry be titled the "metal business furniture and storage equipment industry" and be defined as in the notice of hearing, except that (a) the word "metal" be inserted before the enumeration of the included products, (b) the words "metal business furniture and storage equipment" be used in lieu of the words "metal business equipment" and (c) the following sentence be added: "All consumable supply items are excluded from this definition."

Nature of available wage data. The basic data on minimum wages in the industry are contained in the BLS survey which was received as evidence in the hearing and discussed by the various witnesses who testified. Neither the unions nor the employers questioned the adequacy of the coverage or the accuracy of the survey, nor did they present any other representative body of wage data.

The BLS survey relates to establishments in the metal business furniture and storage equipment industry, as defined above, employing eight or more workers. The survey covered 90 of the

114 establishments of this size estimated to be in the industry. The returns thus represented 79 percent of the establishments and 91 percent of the workers in the industry employed in establishments with more than 8 employees. The most significant data are contained in Table 5, a distribution of establishments studied and production workers by the lowest job rate for unskilled workers (excluding learners and probationary workers) and Table 10, a distribution of all establishments and production workers in the industry employing 8 or more workers by the number and percent of production workers (excluding learners and probationary workers) earning less than specified amounts per hour.

In addition, information on average hourly earnings from the Bureau of Labor Statistics, employment and production figures from the Census of Manufactures and copies of collective bargaining agreements on file with the Bureau of Labor Statistics were available to the Department.

Locality. In the current wage determination under the Public Contracts Act for the metal furniture branch of the furniture industry a single wage is recognized as the prevailing industry-wide minimum wage throughout the United States. At the public hearing in the present proceeding the Office Equipment Manufacturers Institute, individual employer representatives, and both of the participating unions offered testimony in support of a single minimum wage in the industry.

In my proposed decision in the textile industry, published in the FEDERAL REGISTER on December 11, 1952 (17 F. R. 11197) I discussed at some length the legal aspects of the question of "locality" wage differentials under the act, and indicated my conclusion that, given proper conditions, recognition of a single minimum wage in an industry is in harmony with both the language and the purpose of the act. In order to avoid unnecessary repetition, I hereby incorporate herein, by reference, the locality discussion contained in such proposed decision. With these considerations in view, I have attempted to ascertain whether the various factors present in the metal business furniture and storage equipment industry warrant the recognition of a single industry-wide minimum wage for this industry. The evidence in the record discloses that the industry is principally located in the Middle Atlantic and Great Lakes Regions; and that together these two regions contain 71 percent of the establishments and 87 percent of the production workers in the industry. Competition in the industry is nationwide in scope and the marketing of the products in the industry is on a national scale. Management representatives offered testimony for the record that bids are made on Government and commercial contracts from each of the major producing areas and that products of the industry are shipped to all parts of the country.

I have concluded from these facts that the economic factors present in this industry do not indicate any basis for establishment of geographic or regional wage differentials. I also find that the locality in which the products of the metal business furniture and storage equipment industry are manufactured or furnished under Government contracts is coextensive with the entire area in which the industry operates. Accordingly, I find that the rate determined herein for the metal business furniture and storage equipment industry is the rate prevailing in such locality.

Analysis of wage data. As noted above the BLS survey covered 79 percent of the establishments employing 91 percent of the workers in the industry. None of the interested parties questioned the adequacy of the coverage or the accuracy of the survey. I conclude, therefore, that the survey is properly representative of all establishments included within the scope of the definition of the metal business furniture and storage equipment industry.

Each of the participating unions made recommendations as to the minimum rate for the Industry. The American Federation of Labor urged that a minimum rate of $1.13 per hour be determined based upon an analysis of the BLS survey and upon an estimate of wage increases occurring in the industry since the date of the survey. The representative of this organization stated that the wage survey tabulations showed the prevailing minimum wage in the Industry to be $1.10 per hour at the time of the survey and that wage increases approximating 3 cents had occurred since that date. The International Association of Machinists advocated a minimum wage of $1.15 an hour, based on the BLS wage survey data and a review of union contract provisions relating to minimum wage rates.

The Office Equipment Manufacturers Institute recommended a minimum rate of $1.07 an hour at the hearing based on its analysis of the BLS survey. The $1.07 proposal did not take into consideration wage increases averaging 2.5 percent which had occurred throughout the industry since the date of the survey according to Institute representatives. In a post-hearing brief, the Institute proposed that a rate of $1.09 per hour be determined, to allow for post-survey wage increases which the Institute in a revised estimate felt were no more than 2 percent. A letter from the Lyon Metal Products Company suggested that the present 75-cent minimum be continued but offered no analysis of wage rates in support of its proposal.

It should be noted that the proposals of the unions and of the Office Equipment Manufacturers Institute with respect to the prevailing minimum wage are substantially the same. The following analysis of the wage data reveals that the prevailing minimum wage for this industry is slightly higher than the rate recommended by the Institute and slightly lower than the rates recommended by the unions.

Table 10, which is weighted to represent establishments and production workers in all plants with more than 8 workers, shows that one-half of the plants in the industry paid all production workers (excluding learners and probationary workers) at least $1.05 per hour and employed over six-tenths (62.7 percent) of all production workers in the industry. This table also reveals that 57.1 percent of the establishments in the industry paid some workers less than $1.10 per hour, and these establishments employed 56.6 percent of all workers (other than learners and probationary workers) Thus, it appears from an analysis of Table 10 that the prevailing minimum wage in the industry as of the time of the BLS survey lies somewhere between $1.05 and $1.10 per hour.

The importance of the interval $1.051 and under $1.10 is further underscored by an examination of Table 5 which reveals that nearly six-tenths (58.3 percent) of the production workers employed in establishments included in the BLS survey were employed in establishments with lowest job rates for unskilled workers of more than $1.05 an hour.

Table 3, which relates to lowest rates actually paid by establishments studied in the BLS survey, shows that one-half of these establishments actually paid all production workers (excluding learners and probationary workers) more than $1.05 per hour and employed 61.9 percent of the production workers studied. This table shows that 50.6 percent of the production workers studied were employed in establishments which actually paid all workers at least $1.10 per hour; however these establishments constituted only one-third of the establishments studied.

It seems proper to conclude on the basis of the above analysis that the prevailing minimum wage in the metal business furniture and storage equipment industry in July 1951 lies somewhere between $1.05 and $1.10 per hour. While the available wage data, themselves, do not show precisely at what point within this range the prevailing minimum wage fell at the time of the survey, it appears reasonable to accept the conclusions of the Office Equipment Manufacturers Institute, based upon its own review of the wages in the industry that the prevailing minimum wage in July 1951 was $1.07 per hour.

In addition to the data contained in the BLS survey, consideration has been given to evidence in the record concerning wage increases in the industry between the date of the survey and the time of the hearing. The American Federation of Labor representative estimated that wages in the industry had increased approximately 3 cents an hour between the time of the survey and the date of the hearing, based on his interpretation of information contained in the average hourly earnings series of the Bureau of Labor Statistics. A representative of the Office Equipment Manufacturers Institute testified at the hearing that a spot-check of firms in the industry made by the Institute indicated that wage increases of approximately 2.5 percent had occurred between the date of the survey and the time of the hearing. Subsequently, the Institute revised its estimates of post-survey increases downward to 2 percent but no concrete substantiation for the revision in its estimate was offered.

Substantial confirmation of the unions' and Institute's estimates of increases is found in information supplied by the Bureau of Labor Statistics on average hourly earnings in the metal office furniture industry which reveals that wages for such establishments have increased approximately 2.8 percent between July 1951 (the date of the BLS survey) and June 1952 (the date of the hearing) It appears clear therefore, that wages in the industry have increased approximately 3 cents an hour since the date of the survey.

Accordingly, on the basis of the entire record, including evidence on wage increases since the survey, I conclude that $1.10 per hour is the prevailing minimum wage in the metal business furniture and storage equipment industry.

Learners and probationary workers. At the time of the hearing the Office Equipment Manufacturers Institute proposed that two subminimum rates be established in the determination; (1) a subminimum rate for learners of 90 cents an hour and (2) a subminimum rate for probationary workers at 10 cents an hour below the prevailing minimum rate for a period of 6 weeks or 240 hours. The Institute proposed separate rates for learners and for probationary workers in view of the fact that the BLS survey provided separate data for each of these categories of workers. In a post-hearing brief, the Institute revised its recommendations for subminimum rates and proposed that only one subminimum rate be established to cover both probationary workers and learners and that this subminimum rate be determined at 94 cents an hour for a period of 8 weeks or 320 hours. The single rate proposal of the Institute was based on the testimony at the hearing which indicated that respondents to the BLS survey might have been confused as to the technical distinction between learners and probationary workers. Both Institute proposals were based on analysis of the BLS survey.

None of the union representatives in this proceeding made specific proposals in connection with subminimum rates for learners or probationary workers, and no objection was raised to the suggested inclusion of such a rate in the determination if it was found to be necessary. The representative of the International Association of Machinists, however, urged that no more than one subminimum rate should be determined, if the Secretary found such a subminimum rate necessary, and testified that subminimum rate provisions in his union's contracts related to probationary workers.

An analysis of all the testimony in the record discloses that learners within the meaning of section 14 of the Fair Labor Standards Act are not commonly employed in the metal business furniture and storage equipment industry. The BLS survey shows that only 18 establishments employed 106 "learners" at the time of the survey and testimony at the hearing suggests that many of these workers may have been in fact probationary workers who were misclassified by respondents to the survey.

It is clear, however, from the testimony of the unions and the Institute that new inexperienced workers are commonly employed at rates lower than the lowest rate paid to experienced unskilled workers. Evidence in the record also established that these workers are properly designated as probationary workers or beginners.

An examination of Table 6 reveals that a majority of the establishments reporting differences between the entrance rate and lowest job rate for unskilled workers reported a differential of 10 cents an hour or less. This table also shows that a majority of the production workers in such plants are employed in plants having a differential of 10 cents an hour or less. Table 4 which shows a percentage distribution of straight-time average hourly earnings of workers reported as learners and probationary workers reveals that over four-fifths of such workers earned $1.00 an hour or more. I therefore conclude on the basis of the above analysis and the testimony in the record that a differential of 10 cents an hour below the prevailing minimum wage should be provided for beginners and probationary workers.

As noted above, the Office Equipment Manufacturers Institute proposed at the hearing that the subminimum rate for probationary workers be allowed for a period of six weeks or 240 hours. The Institute in its post-hearing brief made an analysis of the data relating to probationary workers and concluded that the BLS survey indicated that "the prevailing custom is in the neighborhood of six weeks." However, the Institute proposed that if a single rate for both learners and probationary workers is established, that "a period of eight weeks or 320 hours be set, since learning periods are usually longer than probationary periods." As noted above, the record indicates that learners, as technically defined, are not commonly employed in this industry.

Table 6 of the BLS survey which shows the length of the period during which a lower rate is paid to beginning or probationary workers varies from one to three months. An examination of union agreements in this industry on file with the Bureau of Labor Statistics similarly shows no uniformity of practice as to the length of the beginning or probationary period.

On the basis of the entire record it appears that six weeks or 240 hours is a reasonable tolerance for such beginning or probationary workers in this industry and I therefore conclude that such a provision be provided in the determination for this industry.

Apprentices. The record indicates that there should be provision in the determination, permitting employment of apprentices in conformity with the standards of the Federal Committee on Apprenticeship. The BLS wage survey data show that beginning apprentices in this industry are paid rates as low as 90 cents per hour and it appears that provision should be made for the employment of such workers at rates not lower than 90 cents an hour.

Handicapped workers. The regulations of the Secretary of Labor presently permit employment of handicapped workers at subminimum rates on contract work under the act and this authority was not at issue in the proceedings. It appears advisable to include in the determination, however, specific authorization for such employment.

Proposed decision. Notice is hereby given that, in accordance with all of the considerations expressed herein, I propose to issue a decision in this matter as set forth below. Interested parties may submit, within 30 days of publication of this proposed decision in the FEDERAL REGISTER, any exception to the proposed decision or any data intended either in rebuttal or in support of any of the tabulations or data received as part of the record following the closing of the hearing.

"1. The minimum wage determination for the furniture manufacturing industry contained in § 202.27 (41 CFR Part 202) is amended as follows:

Section 202.27 (a) (3) is amended to read as follows:

(3) *Metal furniture branch.* The metal furniture branch of the furniture manufacturing industry is redefined as that industry which manufactures or furnishes any of the following products:

(i) Metal hospital furniture;

(ii) Metal household furniture.

"2. A new section designated as § 202.50 is added as follows:

§ 202.50 *Metal business furniture and storage equipment industry*—(a) *Definition.* The metal business furniture and storage equipment industry is defined as that industry which manufactures or furnishes metal business furniture or storage equipment, including but not limited to the following metal products: (1) Bank counters; benches; stools; bookcases; chairs; desks; desk trays; filing boxes, cabinets and cases; cabinets for printers' type; storage cabinets; cabinet partitions; tables; visible business equipment; wardrobes; and waste baskets; (2) lockers; racks; and industrial and general-purpose shelving; (3) rotating bins and sectional bins; tool boxes, tool cabinets and tool chests; metal boxes, metal chests and metal cases. All consumable supply items are excluded from this definition.

(b) *Minimum wage.* The minimum wage for persons employed in the manufacturing or furnishing of the products of the metal business furniture and storage equipment industry under contracts subject to the Walsh-Healey Public Contracts Act shall be $1.10 an hour arrived at either on a time or piece-rate basis.

(c) *Subminimum wages authorized.* (1) Beginners or probationary workers as defined in this paragraph may be employed in the metal business furniture and storage equipment industry for a period of six weeks, or 240 hours at a minimum rate of $1.00 an hour. A beginner or probationary worker for the purpose of this section is a person who has less than 240 hours experience in the plant.

(2) Apprentices may be employed in the metal business furniture and storage equipment industry at rates below the above established minimum wage if their employment conforms with the standards of the Federal Committee on Apprenticeship; except that no apprentice

in this industry may be employed at a rate lower than 90 cents an hour.

(3) (i) Handicapped workers may be employed in the industry at wages below the minimum rates upon the same terms and conditions as are prescribed for the employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525) under section 14 of the Fair Labor Standards Act.

(ii) The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act.

(d) *Effect on other obligations.* Nothing in this section shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this section."

Signed at Washington, D. C., this 19th day of January 1953.

MAURICE J. TOBIN,
Secretary of Labor

[F. R. Doc. 53-851; Filed Jan. 26, 1953; 8:45 a. m.]

[41 CFR Part 202]

MINIMUM WAGE DETERMINATIONS

DETERMINATION OF PREVAILING MINIMUM WAGE FOR PAPER AND PULP INDUSTRY

This matter is before the Department pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C. 35) as amended by the Defense Production Act Amendments of 1952 (sec. 310, Pub. Law 429, 82d Congress) entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act. The currently effective wage determination (15 F R. 382) as editorially revised (15 F R. 4642) was based upon information indicating that substantially all employees in the Paper and Pulp Industry are engaged in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, as amended, and thus come under the minimum wage provisions of that act which require payment of a wage rate of not less than 75 cents per hour on and after January 25, 1950. A survey of selected paper and pulp manufacturing establishments made as of May 1950, by the Bureau of Labor Statistics indicates that the 75 cent rate now in effect may not reflect the prevailing minimum wage in the industry. This proceeding was, therefore, initiated for the purpose of consideration of an amendment to the current determination which will reflect the minimum wages now prevailing.

General. Notice of a hearing in this matter was published in the FEDERAL REGISTER on June 13, 1951 (16 F. R. 5658) Copies of the notice and a press release announcing the hearing were mailed to trade associations, unions, and to individual companies in the industry. In addition, the press release was distributed to newspapers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offer testimony: (1) As to what are the prevailing minimum wages in the paper and pulp industry: (2) as to whether there should be included in any amended determination for this industry provision for employment of learners, beginners or apprentices at subminimum rates, and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees; and (3) as to whether the definition of this industry should be amended to read as follows:

The paper and pulp industry is defined as that industry which manufactures or furnishes any of the following products: pulp from wood or from other materials such as rags, linters, waste paper and straw: paper from wood pulp and other fibers; paperboard from wood pulp and other fibers; building paper and building-board except gypsum products; paper bags; and sanitary paper such as facial tissues, toilet paper, paper napkins and paper towels.

The hearing was held on July 11, 1951, pursuant to the notice. Representatives of employees and employers appeared at the hearing to present evidence and testimony, and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs.

Among others present at the hearing were representatives of the following: The International Brotherhood of Paper Makers, AFL (hereinafter termed the IBPM) The International Brotherhood of Pulp, Sulphite and Paper Mill Workers, AFL (hereinafter termed the PSPMW) The United Paperworkers of America, CIO (hereinafter termed the UPA) the National Paperboard Association (hereinafter termed the Paperboard Association) the American Paper and Pulp Association (hereinafter termed APPA) and the Pulp and Paper Manufacturers Association (Lake States) Also present at the hearing were representatives of the following firms: The Mead Corporation; The West Virginia Pulp and Paper Company: Champion Paper and Fiber Company: International Paper Company: Union Bag and Paper Corporation; and the Crown Zellerbach Corporation.

In addition to the written statements, statistical data and oral testimony presented at the hearing in support of their recommendations, post-hearing briefs were filed by or on behalf of the Paperboard Association, the APPA, the IBPM, the PSPMW and UPA. The record in these proceedings was closed as of September 5, 1951.

Definition. The currently effective definition (15 F. R. 4642) reads as follows: "The paper and pulp industry is defined as that industry engaged in the manufacture or furnishing of pulp and other fiber and in the primary conversion of pulp and other fiber into paper and paperboard, and in the manufacture and conversion of primary paper into toilet paper and paper towels, coated book paper and paper shipping sacks" The differences between this definition and the definition as proposed for amendment in the notice of hearing are minor and principally for purposes of clarification. Every product included in the currently effective definition is included in the definition proposed for the hearing, and a few additional product inclusions are made, together with changes in terminology. Building paper and building board, except gypsum products, are specifically mentioned in the proposed definition, whereas these products are included by interpretation in the current definition. Two converted paper products, facial tissues and paper napkins, included in the proposed definition, are not included in the current definition. "Paper shipping sacks" in the current definition has been changed to the broader term "paper bags" in the proposed definition. The differences in sentence structure have editorial and formal significance only and are not intended to effect substantial changes in coverage other than as specified.

The APPA objected to the wording of the proposed definition and recommended retention of the present definition with inclusion of the products mentioned above, in effect favoring continued inclusion of paperboard within the scope of the definition. The Paperboard Association objected to the inclusion of paperboard in any definition for this industry, arguing that the paper and pulp industry and the paperboard industry are separate and distinct industries, and moreover, that the Government's purchases of paperboard have been insignificant if not totally nonexistent. Union representatives urged the adoption of the proposed definition and stated both at the hearing and in briefs that paperboard should be included.

The record shows and Lockwood's Directory confirms the fact that there is a definite production overlap between paper and pulp mills and paperboard mills. Representatives of the Paperboard Association admitted that people who sold paper to the Government also manufactured paperboard, and that very heavy wrapping papers and light board definitely overlap. It also appears that plants producing one of these products can readily convert to the other as the machinery employed is adjustable for manufacturing a range of paper and paperboard thicknesses. An examination of the award list (Government Exhibit F) reveals that plants whose primary product is paperboard also sell paper to the Government, and that plants whose primary product is paper also sell paperboard to the Government.

On the record, therefore, there appears no justification for excluding paperboard from the definition of the paper and pulp industry.

In order to remove any misunderstanding regarding the substitution of "paper bag" in the proposed definition for the phrase "paper shipping sacks" in the current definition, I am herein proposing that the term "including paper shipping sacks" shall be inserted after the words "paper bags" and also for purposes of clarity, that the phrase "coated book paper" shall be added after "except gypsum products"

Nature of the industry. Sources of information concerning the nature of the paper and pulp industry disclose the following:[1] Establishments producing paper and pulp are located throughout the United States, although there are few mills in the Prairie and Mountain States. The majority of paper mills are integrated and produce their own pulp; in this connection, approximately 90 percent of the pulp produced in the United States is consumed in the same integrated mills. The bulk of pulp which is marketed is produced in mills located in the Southern and Pacific Coast states, and is sold principally to non-integrated paper mills located in other regions of the nation.

The major portion of the products manufactured by paper mills is marketed through paper dealers and jobbers, and only in certain instances, such as, for example, some large industrial accounts, does the manufacturer sell directly to the consumer. Manufacturers' customers, mainly dealers, are located in states throughout the nation, and thus, the manufacturer is likely to ship his product to any geographical region. In general, therefore, the location of a particular paper mill does not limit the area in which it sells its products, and it is evident that nation-wide competition exists between members of the industry.

An examination of the bids received by Government procurement offices in response to invitations for paper and pulp serves to reflect the general marketing practices of the industry. While a few manufacturers bid directly on some Government orders, the vast majority of bids received by the Government are submitted by paper dealers and jobbers. Information supplied by dealers and jobbers to the procurement agencies in connection with their bids discloses that they are supplied from mills located throughout the nation, and delivery to the Government might be made from any state in which the paper is produced. It is not possible for the Government to have any knowledge prior to the receipt of bids as to where the product will be manufactured. Abstracts of bids showing the proposals received by the Government pursuant to invitations calling for a representative list of items purchased from members of the paper and pulp industry, together with information supplied by the bidders as to the location of their suppliers' mills, have been made a part of the official record.

Minimum wage data. The basic data on minimum wages in the paper and pulp industry, collected and tabulated by the Bureau of Labor. Statistics, reflect a representative payroll period in May 1950.

BLS questionnaires were sent to 876 firms listed in the files of State Unemployment Compensation Agencies and in Trade Directories as having 20 or more workers. Two hundred and fifty of these, however, were found to be outside of the scope of the survey either because they had discontinued operations or because their final products were not primarily in the industry as defined.

The BLS tabulations are based on data from 526 of the estimated 626 establishments in the industry. The APPA at the hearing and in a supplementary brief questioned whether the BLS survey adequately covered plants in this industry, in view of data in the 1947 Census of Manufacturers which listed 839 paper and pulp mills with 20 or more employees and Lockwood's Directory for 1951 which listed 1,026 pulp and paper mills and 182 bag manufacturers, whereas the BLS survey included a total of only 526 establishments. The record shows that 876 plants with 20 or more employees were included in the first mailing of questionnaires by the Bureau, whereas only 839 are included in the 1947 Census of Manufacturers. It should be noted that Lockwood's Directory includes all firms manufacturing paper or paper products regardless of the number of employees or their primary product, while the BLS survey, by agreement of interested parties, was restricted to plants with 20 or more workers and with final products primarily included in the industry, as defined. It seems clear that the BLS estimate of its wage data sample as covering 84.0 percent of the plants (526) with 91.3 percent of the workers (197,330) is substantially accurate and that its survey provides an adequate basis for a prevailing minimum wage determination for this industry; and the record shows general agreement between both industry and union representatives that the tabulations of the survey were representative of the industry and should be the principal basis for determining the prevailing minimum wage.

Locality. At the hearing before the Examiner no question was raised either by industry or labor representatives in regard to the recognition of industry-wide minimum wages in the industry. Testimony at the hearing indicated that, although minor differences may be found between wage structures of various plants in the industry, the geographic location of plants is not the controlling factor in regard to such differentials, and that no significant basis exists for the recognition of geographic wage differentials in the industry.

In my proposed determination for the textile industry which was published in the FEDERAL REGISTER, December 11, 1952 (17 F. R. 11197) the question of locality differentials under the act was discussed at some length and it was concluded that, where appropriate conditions are present, the recognition of industry-wide minimum wages is consistent with the language and purposes of the act. In order to avoid unnecessary repetition, the discussion of the locality question contained in the proposed decision for the textile industry is incorporated herein by reference.

An analysis of the principal characteristics of the paper and pulp industry, as described above, requires me to find that the locality in which the products of the paper and pulp industry are to be manufactured or furnished under Government contracts is coextensive with the entire area in which the industry operates, and that the rates determined herein for the separate branches of the paper and pulp industry are the rates prevailing in such locality.

Product differential. Union and industry representatives at the hearing and in post-hearing briefs opposed any product differentials, although representatives of both testified at the hearing that paper bag plants generally paid lower wages than other plants in this industry, and had agreed at the panel conference that no objection would be raised to the establishment of a differential for paper bag plants if their wage structures were found to differ markedly from those of plants in the rest of the industry.

The BLS wage survey, Table 3, indicates that the most significant interval with respect to base rates paid to unskilled plant workers is the 95.1 to 105.0 cent interval for all categories of plants except those producing paper bags primarily. In the bag branch, these data show that 70.0 percent of the workers are in establishments which paid lowest base rates of 95 cents and less, and that this branch contains the lowest paying group of plants in the industry, with 78.8 percent of the establishments paying lowest base rates of 95 cents and under. Table 3 also shows that at the time of the survey the lowest base rates paid to unskilled plant workers in all the branches of the industry, except the paper bag branch, ranged from 75 cents to 125.1 cents and over, contrasted with the range in the paper bag branch from 75 cents to the 115.1 cents and under 120.0 cents interval; moreover, only one plant having 34 workers appeared in this latter interval. Although the record clearly shows considerable production overlap in the industry with many of the integrated plants making a wide variety of the products included in the definition, it is evident that the wage structure of

[1] U. S. Bureau of the Census, Census of Manufactures, 1947, Volume II. U. S. Department of Commerce, World Pulpwood and Woodpulp Statistics, 1925–1949 (Washington: 1952). House of Representatives, Report of the Subcommittee on the Study of Monopoly Power of the Committee on the Judiciary, Pulp, House Report No. 505, Part 2 (Washington: Government Printing Office, 1942). United States Pulp Producers Association, Woodpulp Statistics (New York: U. S. Pulp Producers Association, July 1951). U. S. Department of Commerce, World Pulpwood and Woodpulp Statistics. J. A. Guthrie, The Economics of Pulp and Paper (Pullman, Washington: State College of Washington Press, 1950). The Pulp and Paper Industry in the USA (a report by a mission of European experts), published by the Organization for European Economic Cooperation, Paris, 1951. Lockwood's Directory of the Paper and Allied Trades, 1952 (New York: Lockwood Trade Journal Co., 1952). E. B. Alderfer, Economics of American Industry, (New York: McGraw Hill Book Co. Inc., 1950). J. G. Glow and W. B. Cornell, The Development of American Industries, (New York: Prentice Hall, 1951). Standard & Poor's Industry Surveys, Paper, April 10, 1952, Vol. 120, No. 15, Section 2.

the paper bag branch is significantly lower than that of the other branches.

Nothing in the record indicates that a lower rate for the paper bag branch would imperil wage standards set for plants in the other branches of the industry. On the other hand a substantial number of plants in the paper bag branch would be adversely affected if they were required to pay a higher minimum wage based upon wage levels in other branches of the industry.

I find, therefore, that it is necessary and reasonable to establish a wage differential for the paper bag branch of the industry.

Prevailing minimum wage—Paper and pulp industry (other than bags) Union representatives recommended a prevailing minimum wage determination of $1.25 an hour. Two of the unions, IBPM and PSPMW took the position that the BLS survey tabulations showed a prevailing minimum wage rate of $1.00 an hour as of May 1950. They estimated that various wage increases approximated 25 cents an hour between the dates of the survey and the hearing. The UPA regarded $1.05 an hour as the prevailing minimum rate as of the May 1950 survey with 20 cents an hour representative of wage increases since the survey. The APPA advocated determination of an 80 cents an hour minimum on the basis of the survey with no allowances for subsequent wage increases. It should be noted that these recommendations by both labor and management were for the industry as a whole without regard to any product or regional differential.

From the survey data contained in the record, the prevailing minimum would appear to be somewhat lower than the $1.05 rate recommended by UPA, which was based on the premise that the determined rate shall be that paid to the majority of those employed at minimum rates. This approach ignores the fact that the workers employed at lowest base rates of $1.05 an hour or more were employed in only 37.3 percent of the plants studied, and that these establishments accounted for less than 50 percent of the total number of plant workers. Furthermore, BLS Table 7, which is weighted to represent all plants in this industry with 20 or more workers, shows that only about a third of the plants, employing only 35.4 percent of the employees had no workers earning less than $1.05 an hour.

On the other hand, it is clear from the wage data (BLS Tables 3 and 7) that the prevailing minimum rate for the industry, even including paper bag plants, is in excess of 80 cents an hour. The overwhelming majority of both plants and workers studied (86.5 percent of the establishments and 94.3 percent of the workers) have base rates of more than 80 cents an hour. Only seven-tenths of one percent (0.7 percent) of the employees in the Industry earned 80 cents an hour or less.

The proposal for a $1.00 an hour minimum advanced by the PSPMW and IBPM, appears to be supported by the wage data for the paper and pulp industry (other than bags) but such a rate is clearly not justified for the paper bag branch (see BLS tables 3 and 7)

BLS Table 3 shows that 55.9 percent of the establishments studied in the paper and pulp industry (other than bags) employing 64.4 percent of all the plant workers, paid base rates of $1.00 an hour or more. Table 7 shows that half of the establishments (other than paper bag establishments) employing approximately 55 percent of the workers paid no workers less than $1.00 an hour. On the other hand, Table 3 shows that only 33.1 percent of the establishments with 21.9 percent of the workers paid base rates as low as 95 cents an hour and only 42.2 percent of the establishments with 45.4 percent of the workers paid base rates as high as $1.05 an hour.

Accordingly, on the basis of all the wage data and the testimony in the record, I find that the prevailing minimum wage for the paper and pulp industry (other than bags) was $1.00 an hour as of May 1950.

With respect to post-survey wage increases, all of the unions represented at the hearing stated that employees in this industry have been granted wage raises and that these should be reflected in any determination of a prevailing minimum rate. The Paperboard Association gave testimony indicating that most of its member firms had given increases of over ten percent since May 1950.

The APPA, although recognizing the fact of wage increases since the survey, argued that only wages in effect at the time of the BLS survey should be reflected in determining the prevailing minimum wage. A study conducted by this Association, however, revealed that common labor base rates had increased an average of 11.5 cents an hour from May 1950 to May 1951.

Government publications confirm the fact that there were substantial wage increases after the date of the BLS survey. The BLS monthly report entitled "Current Wage Developments" indicates that there were a considerable number of such increases, but does not provide figures for the industry as a whole. The Department of Labor's "Monthly Labor Review," however, reports that while average hourly earnings were relatively stable from January 1950, the base date of the Wage Stabilization Board 10 percent formula, to May 1950, the date of the BLS survey, average hourly earnings in the industry rose at least 15 cents an hour from May 1950 to July 1951, the date of the hearing. This publication shows little or no change in average hourly earnings between July 1951 and the record closing date in September 1951.

It is clear that the prevailing minimum rate should reflect increases received between the time of the wage survey and the close of the hearing record. Consideration of all available data supports the conclusion that such increases totalled at least 11.5 cents, and I find, therefore, that the prevailing minimum wage in the paper and pulp industry (other than bags) is $1.115 an hour.

Paper bag branch of the paper and pulp industry. As stated above, the paper bag branch has lower wage rates than the rest of this industry. BLS Table 7 shows that 54.7 percent of the establishments employing almost three-fourths (73.5 percent) of all the workers had no employees earning less than 85 cents an hour, but that only 30.5 percent of the plants employing 36.5 percent of the workers had no one earning less than 90 cents an hour. BLS Table 3 shows that 67.5 percent of the paper bag plants studied, employing 12,638 of the approximately 15,000 workers (82.9 percent), paid base rates of 80 cents or over. One half of the 80 establishments employing 78.8 percent of the workers paid base rates of 85 cents or over. However, less than a third of the plants employing a little more than a third of the workers had base rates of 90 cents or over. More than 30 percent (31.7) of the workers were in plants paying base rates of more than 85 but less than 90 cents. A total of 7.5 percent of the workers in this branch received less than 85 cents at the time of the survey and 3.9 percent received between 85 and 90 cents at that time.

The prevailing minimum wage thus appears to be within the 85.1–89.9 cent interval. On the basis of all the available evidence, I conclude that the midpoint of this interval, namely, 87.5 cents is the prevailing minimum wage rate in the paper bag branch of the industry as of the date of the wage survey. Adjustment of this rate to reflect the 11.5 cent wage increase between 1950 and the date of the hearing results in a minimum hourly rate of 99 cents for this branch of the industry.

Subminimum wages. The record shows that there is a common practice in the paper and pulp industry to pay beginners and probationary workers rates somewhat lower than the regular minimum job rates for specified periods of time. The APPA proposed a 5-cent tolerance for beginners and probationary workers for the first 520 hours of employment in the industry and cited BLS Table 6 which shows that 194 of 526 mills studied had probationary rates. Although all three unions opposed lower entrance or probationary rates, it was clear from their testimony that a number of union contracts call for a 5-cent differential for 30 days for such workers. Some of these contracts also provide for a probationary period of 30 days, with no difference in pay, during which time the fitness of the workers was determined.

The total number of plants studied by BLS in connection with entrance or probationary rates was 505 with a total plant employment of 162,186. The data indicate that 38 percent of these plants having almost half of the production workers reported the existence of an entrance or probationary rate lower than the base rate. BLS table 4 (a) shows that, in the paper and pulp industry (other than bags) 158 of 425 establishments studied, having about 50 percent of the workers (74,152) reported entrance or probationary rates lower than job rates. In the paper bag branch 45 percent of the 80 plants studied, with about 45 percent of the workers studied in this branch, had entrance or probationary rates lower than job rates. BLS table 5 shows that almost half (49 per-

cent) of the paper and pulp mills employing 47.4 percent of the workers had probationary rates of 5 cents an hour or less below the regular base minimum rate. Table 6 shows that 110 of the 194 plants reporting the existence of probationary systems, had probationary periods varying from one to less than three months. Most of the union contracts providing for a probationary system had established a thirty day period.

The evidence conclusively indicates that a subminimum hiring rate for beginners and probationary workers is customary in this industry and that a five-cent an hour differential is reasonable and warranted. For the purpose of this determination a beginner or probationary worker is defined as an employee having less than 160 hours experience in the plant in which he is employed. Accordingly, a minimum entrance or probationary rate not less than $1.065 an hour is authorized in the paper and pulp industry (other than bags) and 94 cents an hour in the Paper Bag Branch for a period not to exceed 160 working hours.

No recommendation for an apprentice tolerance was made although the notice of hearing requested information and arguments relative to the need for the employment of apprentices at subminimum rates. There are some operative apprenticeship agreements in the industry, but the wage rate for this class of workers is usually as high or higher than the plant minimum. The UPA and the APPA both went on record against the establishment of an apprenticeship provision. On the basis of the testimony and prevailing practices in the industry, no provision is made in this determination for the employment of apprentices at subminimum rates.

None of the interested parties recommended that subminimum wages be included in the determination for learners as defined under the regulations issued pursuant to section 14 of the Fair Labor Standards Act. From the discussion at the panel and testimony at the hearing, it is clear that there are no such learners in the paper and pulp industry, and, accordingly, no tolerance is established in this determination for "learners"

The regulations (41 CFR 201.1102) permit employment of handicapped workers at subminimum rates on contract work under the act and this authorization was not an issue in the proceeding. It seems advisable to include in the determination, however, specific authorization for such employment.

Proposed decision. Notice is hereby given that, in accordance with all of the considerations expressed herein, I propose to issue a decision in this matter as set forth below. Interested parties may, within 30 days from date of publication of this notice in the FEDERAL REGISTER, submit exceptions or objections to this proposed decision.

The minimum wage determination for the paper and pulp industry contained in § 202.33 is amended to read as follows:

"(a) *Definition.* The paper and pulp industry is that industry which manufactures or furnishes any of the following products: Pulp from wood or from other materials such as rags, linters, waste paper and straw; paper from wood pulp and other fibers; paperboard from wood pulp and other fibers; building paper and building-board, except gypsum products; coated book paper; paper bags, including paper shipping sacks; and sanitary paper such as facial tissues, toilet paper, paper napkins and paper towels.

(b) *Minimum wages.* (1) The minimum wage for persons employed in the manufacture or furnishing of products of the paper and pulp industry (other than bags) under contracts subject to the Walsh-Healey Public Contracts Act shall be $1.115 cents an hour arrived at either on a time or piece-rate basis.

(2) The minimum wage for persons employed in the manufacture of products of the paper bag branch of the paper and pulp industry under contracts subject to the Walsh-Healey Public Contracts Act shall be 99 cents an hour arrived at either on a time or piece-rate basis.

(c) *Subminimum wages authorized.* (1) Beginners (probationary workers) as defined in this paragraph may be employed at hourly wage rates not lower than the following: $1.065 per hour in the paper and pulp industry (other than bags) and 94 cents per hour in the paper bag branch, arrived at either on a time or piece-rate basis. A beginner or probationary worker for the purpose of this determination is an employee who has less than 160 hours' experience in the plant in which he is employed.

(2) (i) Handicapped workers may be employed at wages below the minimum rates upon the same terms and conditions as are prescribed for the employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525) under section 14 of the Fair Labor Standards Act, as amended.

(ii) The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act."

Signed at Washington, D. C., this 19th day of January 1953.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 53-850; Filed, Jan. 26, 1953; 8:45 a. m.]

[41 CFR Part 202]

MINIMUM WAGE DETERMINATIONS

DETERMINATION OF PREVAILING MINIMUM WAGE FOR WOOLEN AND WORSTED INDUSTRY

This matter is before the Department pursuant to the Act of June 30, 1936 (40 Stat. 2036; 41 U. S. C. 35) as amended by the Defense Production Act Amendments of 1952, (sec. 310, Pub. Law 429, 82d Cong.) entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," and known as the Walsh-Healey Public Contracts Act.

The Secretary of Labor, in a minimum wage determination issued pursuant to the provisions of the Walsh-Healey Public Contracts Act and made effective May 14, 1949 (14 F. R. 1793) determined the minimum wage for persons employed in the woolen and worsted industry in the performance of contracts with agencies of the United States Government subject to the act to be not less than $1.05 per hour. This determination also authorized employment of learners and beginners at rates not less than 90 cents an hour for a period no longer than 320 hours. This determination is currently in effect as editorially revised and published in the FEDERAL REGISTER on July 20, 1950 (15 F. R. 4634)

The Textile Workers Union of America, CIO, submitted a petition dated November 16, 1951 for determination of a minimum wage of $1.265 an hour in the woolen and worsted industry with a wage escalator provision of one cent quarterly adjustment for each 1.18 rise in the Bureau of Labor Statistics Consumer's Price Index (Old Series) beginning with February 15, 1951, and other fringe benefits of vacations with pay, paid holidays and shift premiums, as provided in its collective bargaining agreements. This union also urged retention of the current definition of the industry.

The United Textile Workers of America AF of L, submitted a petition, dated February 29, 1952, for determination of a minimum wage of $1.30 an hour with an escalator clause, vacations with pay, paid holidays and shift premiums, and other fringe benefits. This union also urged retention of the currently effective definition of the industry.

Representations in these petitions with respect to current minimum wage rates provided in collective bargaining agreements and other wage data reported by woolen and worsted manufacturing establishments and associations indicated that the $1.05 rate now in effect may not reflect the currently prevailing minimum wage in the woolen and worsted industry. This proceeding was, therefore, initiated for the purpose of consideration of an amendment to the current determination which will reflect the minimum wages now prevailing.

An informal panel conference was held on January 15, 1952 at which representatives of the Department of Labor met with representatives of management and labor in the woolen and worsted industry and discussed various matters concerning the woolen and worsted industry, including questions relating to the definition of the industry and to the obtaining of adequate wage information.

General. Notice of a hearing in this matter to be held on May 15, 1952 was published in the FEDERAL REGISTER on March 25, 1952 (17 F. R. 2576) Copies of the notice and a press release announcing the hearing were mailed to trade associations, unions, and to indi-

vidual companies in the industry. In addition, the press release was distributed to newspapers and trade publications.

This notice and release advised interested persons of the time and place at which they could appear and offer testimony: (1) As to what are the prevailing minimum wages in the woolen and worsted industry; (2) as to whether there should be included in any amended determination in this industry provision for employment of learners and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates, and with what limitations, if any, as to the length of period and number or proportion of such subminimum rate employees; and (3) as to the propriety of the present definition of the industry as set out in the notice of hearing. The notice stated that, "The following information is particularly invited with respect to the subject matter of the testimony or statements of each witness: (1) The number of workers covered in the presentation, (2) the number and location of establishments; (3) the number of looms and spindles operated in each establishment; (4) minimum wages paid at the end of a probationary or learner period, the number of workers receiving such wages and the occupation in which these employees are found; (5) the entrance rate for learners, beginners or probationary workers, the length of such learning or probationary period, and the number of workers paid such entrance rates; and (6) the product or products" The notice further stated that, "To the extent possible, data should be submitted in such a manner as to permit evaluation thereof on a plant by plant basis."

Pursuant to the notice the hearing was held on May 15, 1952, at 10 a. m. in Conference Room A of the Interdepartmental Auditorium in Washington, D. C. Representatives of employees and employers appeared at the hearing to present evidence and testimony and the record was kept open for a specified period beyond the close of the hearing for receipt of additional data and briefs.

Management appearances at the hearing included representatives of the National Association of Wool Manufacturers, and of several woolen and worsted companies. Labor appearances included representatives of the Textile Workers Union of America and the United Textile Workers of America. Other appearances at the hearing included Governor Paul H. Dever of Massachusetts and Prof. Seymour E. Harris, Chairman of the New England Governors' Committee on the Textile Industry

In addition, letters, statements and briefs were filed by interested parties both at the hearing and following the close of the hearing. All such material has been made a part of the record. The hearing record was closed as of June 16, 1952.

Definition. The currently effective definition was contained in the notice of hearing. This definition reads as follows:

(1) The manufacturing or processing of all yarns (other than carpet yarns) spun entirely from wool or animal fiber (other than silk) and all processes preparatory thereto;

(2) The manufacturing, dyeing or other finishing of fabrics and blankets (other than carpets, rugs and pile fabrics) woven from yarns spun entirely of wool or animal fiber (other than silk)

(3) The manufacturing, dyeing, or other finishing of fulled suitings, coatings, topcoatings, and overcoatings knit from yarns spun entirely of wool or animal fiber (other than silk)

(4) The picking of rags and clips made entirely from wool or animal fiber (other than silk) and the garnetting of wool or animal fiber (other than silk) from rags, clips, or mill waste; and other processes related thereto;

(5) The manufacturing of batting, wadding, or filling made entirely of wool or animal fiber (other than silk)

(6) The manufacturing or processing of all yarns (other than carpet yarns) spun from wool or animal fiber (other than silk) in combination with cotton, silk, flax, jute, or any synthetic fiber except the manufacturing or processing on systems other than the woolen system of yarns containing not more than 45 percent by weight of wool or animal fiber (other than silk) in combination with cotton, silk, flax, jute or any synthetic fiber;

(7) The manufacturing, dyeing, or other finishing of the products enumerated in clauses (2) (3) (4) and (5) from wool or animal fiber (other than silk) in combination with cotton, silk, flax, jute or any synthetic fiber; except products containing not more than 25 percent by weight of wool or animal fiber (other than silk) with a margin of tolerance of 2 percent to meet the exigencies of manufacture.

The National Association of Wool Manufacturers proposed at the panel conference, at the hearing and in a post hearing statement that the definition of the industry be modified to read as follows:

1. Cloths woven from yarns wholly or in part spun:
   - A. From wool, reprocessed wool or reused wool.
   - B. From staple, waste or tow of man-made fibers other than rayon or acetate.
2. Cloths knit from yarns wholly or in part spun:
   - A. From wool, reprocessed wool or reused wool.
   - B. From staple, waste or tow of man-made fibers other than rayon or acetate.
   - C. And procured by the yard or square yard.
3. Blankets woven or knit from yarns wholly or in part spun:
   - A. From wool, reprocessed wool or reused wool.
   - B. From staple, waste or tow of man-made fibers other than rayon or acetate.
4. Yarns wholly or in part spun:
   - A. From wool, reprocessed wool or reused wool.
   - B. From staple, waste or tow of man-made fibers other than rayon or acetate.
5. Tops processed from wool or man-made fibers.

The National Association of Wool Manufacturers advanced its proposal on the ground that rising competition from cotton mills making newly developed fabrics of man-made fibers (other than rayon or acetate) or of mixtures of wool and such man-made fibers, put woolen and worsted mills at a competitive disadvantage.

The Textile Workers Union of America and United Textile Workers of America, on the grounds that such a modification of the definition would completely vitiate lines of demarcation which clearly separate the woolen and worsted industry from other related industries, opposed the change in the definition suggested by the National Association of Wool Manufacturers.

This question is discussed in my proposal to amend the prevailing minimum wage for the textile industry, issued December 11, 1952 (17 F R. 11197) In that document I noted that the adoption of this proposal would have the effect of adding to the definition of the woolen and worsted industry a great variety of items made from mixtures containing minor proportions of wool or any proportion of man-made fibers other than rayon or acetate which are normally manufactured by firms engaged primarily in the production of cotton and synthetic rather than woolen and worsted textiles.

I also stated that the present lines of demarcation contained in the prevailing minimum wage determination for the woolen and worsted industry, the textile industry and the knitting, knitwear and woven underwear industry would be affected if the proposal were adopted. At that time I concluded that while there is an indication of certain trends which may in time justify a reevaluation of these dividing lines, it does not appear that such shifts as have occurred would warrant a change at this time. That conclusion is still valid. Consequently, I find that the request of the National Association of Wool Manufacturers should be denied at this time and that the present definition should not be changed in this regard.

With the exception of the points mentioned above, the only other proposals with respect to the definition were made by the petitioners, both of whom recommend that the present definition of the woolen and worsted industry be retained. The other parties present made no proposals either for or against the retention of the present definition.

As indicated below, adequate wage data are available in this proceeding only for the broad-woven goods, yarn, and thread branch of the woolen and worsted industry and I am proposing at this time a redetermination of the prevailing minimum wage only for this branch, which is defined at the conclusion of this determination.

Nature of available wage data. As a part of its regular program of conducting wage surveys of important industries, the Bureau of Labor Statistics made a study of earnings and related wage practices of representative establishments in the woolen and worsted industry. This survey which relates to a payroll period in April-May 1952 covers a large number of firms and employees in the woolen and worsted industry and constitutes the primary data upon which a determination of prevailing minimum wages in this industry can be based.

This survey relates to establishments in the following categories: Broad-woven fabric mills primarily engaged in weaving woolen and worsted fabrics over 12 inches in width; yarn mills primarily engaged in spinning, twisting, winding or spooling yarn from wool fibers; and thread mills primarily engaged in manufacturing thread from wool fibers. In addition to workers engaged in producing these items, the survey covers other workers in these establishments engaged in producing blankets and other fabricated woolen and worsted textile products and in scouring, combing, dyeing and finishing operations.

The Bureau of Labor Statistics published the results of this survey subsequent to the date of the public hearing for this industry and, at the request of the Wage and Hour and Public Contracts Divisions, certain additional tabulations were also prepared by the Bureau. The original Bureau of Labor Statistics release plus these additional tabulations are hereby made a part of the record and are available to any interested party for examination and comment. For purposes of reference these tables are identified as Supplementary Government Exhibit A, Tables 1 through 17, and the separate releases covering Rhode Island, Massachusetts, Northern New England, New York-New Jersey, and Philadelphia, Pa.-Camden, N. J. are identified as Supplementary Government Exhibit A, Tables 18 through 22.[1]

The National Association of Wool Manufacturers conducted a mail questionnaire survey covering a large number of firms manufacturing woolen and worsted-textiles and related products. Based on its survey the Association offered for the record tabulations showing the number of establishments and the estimated number of workers employed in establishments having minimum hiring rates (excluding learners) of $1.265 or more an hour and the same information for establishments having minimum hiring rates (excluding learners) of less than $1.265 an hour. The Association made no attempt to obtain data on specific minimum rates other than as indicated above.

In addition, the tabulations presented by the Association show a breakdown by major products of the mills included in its survey, the number of mills in its survey which are also included in the unions' listings, and the number and location by geographical region of establishments reporting a minimum hiring wage (excluding learners) of less than $1.265 an hour.

The Textile Workers Union of America and the United Textile Workers of America submitted copies of a number of collective bargaining agreements and lists showing the names and locations of plants in the industry, the type of products manufactured, number of employees and minimum wages paid. These lists include both union and nonunion establishments and cover a large proportion of the industry.

The employment figures reported by the Association and by the unions do not relate to any specific date but are estimates by the reporting firms or by the unions as to approximately how many production workers would be employed when the establishment is operating on its regular schedule. Furthermore both the Association and unions included data for all plants within the industry for which information was available without regard to the possible relative over-representation of certain segments of the industry and the possible relative under-representation of other segments. In addition, the Association's survey includes a number of establishments which do not appear to be within the scope of the woolen and worsted industry as defined. The National Association of Wool Manufacturers at the hearing questioned the accuracy of the minimum rates shown for a number of establishments included in the unions' listings and also pointed out that some listed establishments were no longer operating.

As a result of the above mentioned limitations of the data submitted by the unions and by the Association, I have concluded that primary reliance for the purposes of this determination must be placed upon the survey by the Bureau of Labor Statistics, although the data of the Association and of the unions' surveys are a useful supplement to that survey.

Locality. In the previous determination which I issued for the woolen and worsted industry under the Public Contracts Act, I found a single minimum wage prevailing for the industry throughout the United States. At the hearing in the present proceeding no question was raised with regard to the propriety of the unions' proposals for the continued recognition of a single prevailing minimum wage in the industry.

In my proposed decision in the textile industry, published in the FEDERAL REGISTER on December 11, 1952 (17 F. R. 11197) I discussed at some length the legal aspects of the question of "locality" wage differentials under the act, and indicated my conclusion that, given proper conditions, recognition of a single minimum wage in an industry is in harmony with both the language and the purpose of the act. In order to avoid unnecessary repetition I hereby incorporate herein, by reference, the locality discussion contained in such proposed decision. With these considerations in view I have attempted to ascertain whether the various factors present in the woolen and worsted industry warrant the recognition of a single wage for the industry.

Sources of information concerning the predominant characteristics of the woolen and worsted industry disclose the following:[2] The location of the industry is heavily concentrated in the New England States, New York, Pennsylvania, and New Jersey, where more than 80 percent of the industry's workers are employed. The vast majority of the industry's output is used in the manufacture of apparel. The remainder is used principally for the manufacture of blankets, transportation upholstery, furniture upholstery and draperies. The majority of the mills in the woolen and worsted industry are completely integrated, performing all of the spinning, weaving, and finishing operations necessary in connection with the manufacture of their products. It is customary for members of the industry to sell their products to customers located throughout the nation and the location of a particular mill does not generally influence the geographic area in which it will market its product. As in the textile industry, most of the woolen and worsted industry's output is sold through the textile market center in New York City. Those customer manufacturers who are not located in the New York area usually have their buyers visit the New York selling offices of woolen and worsted manufacturers to make their purchases. However, goods are shipped from the mills to customers located from coast to coast. Competition in the industry is intense and members of the industry, regardless of their location, are continually competing for the same business.

Information obtained from Government procurement offices shows that members of the woolen and worsted industry similarly compete for Government business regardless of their location. In procuring products of the industry, the Government invites bids from mills in every location. An examination of abstracts of bids received by the Government for wool fabrics, blankets, and other products included within the industry definition discloses that, in the normal case, bids are received on any particular invitation from a large number of mills located in different states. It is frequently necessary to award several contracts in order to fulfill the requirements of any large procurement invitation, and in such instances the successful bidders are generally located in different states. In the procurement of woolen and worsted items the Government has no knowledge prior to the receipt of bids as to where the contractors will be located or where the goods may be manufactured. A number of abstracts of bids showing the bids received by the Quartermaster of the Army pursuant to invitations calling for a representative list of items purchased from members of the woolen and worsted industry have been photographed and made part of the record as Supplementary Government Exhibit B and are available for examination in the Department.

I have concluded from these facts that the economic and competitive factors of

[1] Official notice was also taken of the BLS Wage Structure Bulletin, Series 2, No. 90 entitled "Woolen and Worsted Textiles," April–May 1952. This bulletin contains an elaboration of certain data in Supplementary Government Exhibit A.

[2] The sources of information referred to include the following: E. B. Alderfer, Economics of American Industry, "The Wool Manufacturing Industry" (New York: McGraw-Hill Book Co., Inc., 1950), pp. 385–405. U. S. Senate Committee for the Investigation of Concentration of Economic Power, Temporary National Economic Committee, Monograph No. 22, 1941. Reavis Cox, The Marketing of Textiles (Washington: The Textile Foundation, 1947). Bureau of the Census, Census of Manufacturers, 1947, Vol. II. National Association of Wool Manufacturers, Bulletin, Vol. LXXXI, 1951. Davison's Textile Blue Book, Davison Publishing Company, Ridgewood, New Jersey, 1951.

the industry are such that any attempt to establish geographic or regional wage differentials would not be consistent with the legislative purposes of the act. I also find that the locality in which the products of the woolen and worsted industry are manufactured or furnished under Government contracts is coextensive with the entire area in which the industry operates. Accordingly, I find that the rate determined herein for the woolen and worsted industry is the rate prevailing in such locality.

Analysis of wage data. In its survey of the woolen and worsted industry the Bureau of Labor Statistics tabulated returns from 205 establishments employing 67,724 employees. The survey covered plants with 21 or more employees and the Bureau's returns covered 44.4 percent of such establishments employing 60.8 percent of the total employment. The Census of Manufactures for 1947, the latest available period, indicates that plants with 20 or more employees had 99.3 percent of the total employees in the industry making products covered by the Bureau's survey and constitute 78.8 percent of all establishments. The returns were weighted in accordance with generally accepted statistical procedures to represent all such plants.

As noted above, the Bureau of Labor Statistics survey was limited to plants primarily engaged in spinning yarn or thread and related operations or in weaving broad-woven fabrics. A large number of these plants also produce fabricated products such as blankets and perform scouring and combing and dyeing and finishing operations and all production workers in such establishments are included in the survey and are reflected in the tabulations. I conclude that this survey adequately reflects wages of workers engaged in spinning yarn and thread and processes preparatory thereto; in weaving broad-woven goods, in dyeing and finishing, and in manufacturing blankets.

On the other hand, the Bureau of Labor Statistics data are not representative of the earnings of employees engaged in the manufacture of narrow fabrics; pressed felt; batting, wadding, or filling; knit fulled suitings, coatings, overcoatings and topcoatings; or in the picking or garnetting of rags, clips or mill waste.

The wage data submitted by the two textile unions and by the National Association of Wool Manufacturers, which were made a part of the public hearing, similarly contained very little information on plants producing batting, wadding, and filling; narrow fabrics; knit fulled suitings, coatings, topcoatings and overcoatings; and on mills engaged in the picking of rags and clips and in the garnetting of wool and animal fiber (other than silk) from rags, clips or mill waste. In general, the data submitted by these parties relate to the same types of establishments as are covered by the Bureau of Labor Statistics survey The union lists, however, contain considerable information on minimum wages in plants producing pressed felt.

The most important lines of evidence as to prevailing minimum wages in the broad-woven goods, yarn and thread branch of the woolen and worsted industry are included in Tables 11 and 13 of Supplementary Government Exhibit A. Table 13 of Supplementary Government Exhibit A shows a distribution of establishments and workers according to the percentage of production workers (excluding learners and handicapped workers) earning less than specified amounts per hour and gives, for each specified rate, the number of plants which pay none of their workers less than the specified amount. In addition, plants are distributed by the percentage of workers in each plant receiving less than the specified amount indicated.

It should be noted that this tabulation includes all workers covered by the survey including watchmen, janitors and other custodial workers, except learners and handicapped workers. Watchmen and many of the janitors and other custodial workers included in this tabulation are not covered by the provisions of the Walsh-Healey Public Contracts Act, and while the exact proportion of production workers engaged in custodial occupations is not known, it is nevertheless apparent that their inclusion causes some downward bias in the data.

This table shows that 52.6 percent of the establishments in this Branch of the Industry paid over 10 percent of their workers less than $1.26 an hour. While the exact amount of downward bias reflected in this table cannot be obtained from data available in the survey, it is unreasonable to assume that this bias would amount to as much as 10 percent of all production workers. Consequently, it is clear from Table 13 alone that the prevailing minimum wage for this Branch of the Industry is less than $1.26 an hour.

Table 13 also reveals that 207 establishments comprising approximately 45 percent of the establishments in the nation and employing 61 percent of all production workers paid at least 99 percent of their workers $1.20 an hour or more. Similarly 228 establishments which comprise 49.3 percent of the establishments employing 65.5 percent of the production workers paid at least 97 percent of their workers $1.20 an hour or more. With reference to the New England region, the table shows that 55.9 percent of the establishments employing 76.8 percent of the production workers paid 99 percent or more of their workers at least $1.20; almost 60 percent of all production workers in the New England region are employed in plants which pay all of their production workers a rate of $1.20 an hour or more. In the Middle Atlantic region over 58 percent of all production workers are employed in plants paying 99 percent or more of their workers $1.20 an hour or more. The Middle Atlantic region together with the New England region employ over 80 percent of all production workers in this Branch of the industry.

The limitations which apply to Table 13 of Supplementary Government Exhibit A also apply to Table 1 of this exhibit. In addition, it should be noted that Table 1 includes earnings of learners and handicapped workers, a fact which lends an additional downward bias to this table. Because of the limitations of these tables, Table 11 is of added significance. This latter table shows the rates which plant officials reported as the established minimum job rates for all production workers other than custodial workers, learners, and handicapped workers. According to this table, 52.2 percent of the establishments in the survey having established minimum job rates reported a rate of $1.20 an hour or more. These plants employed 59.8 percent of all the production workers in the survey as compared with 36.7 percent of such workers in plants reporting established minimum job rates of less than $1.20 an hour and 3.5 percent of the workers in plants reporting no established minimum.

On the basis of the above analysis of the Bureau of Labor Statistics survey, it is clear therefore that the prevailing minimum wage for the broad-woven goods, yarn, and thread branch of the woolen and worsted industry is $1.20 an hour. This conclusion is supported by the data submitted by the petitioners and the National Association of Wool Manufacturers which indicate that the prevailing minimum wage in this branch of the industry is at least as high as $1.20. In fact, a finding based solely on the data submitted in these proceedings by the interested parties would undoubtedly have resulted in a determination in excess of $1.20.

Another basis on which the prevailing minimum wage can be established under the act is that of "similar work"

With respect to this criterion, the Bureau of Labor Statistics data point particularly to four occupations, namely, janitors, battery hands, hand truckers and spinning frame doffers. These occupations are common to most firms in the broad-woven goods, yarn, and thread branch of the woolen and worsted industry and are generally the lowest paid occupations. Each of them is included within the list of "selected occupations" for which the Bureau of Labor Statistics reported separate data. This list, together with the job descriptions applicable thereto, was developed as a result of the Bureau's extensive experience in making surveys of the industry and in consultation with representatives of labor and management. The definitions were designed to permit comparisons of occupations having similar work content regardless of differences from plant to plant in actual nomenclature. It is therefore clear that prevailing minimum wages for "similar work" can be determined by examining data for these occupations.

The four occupations are defined by the Bureau as follows:

Janitor excluding machinery cleaners (day porter sweeper charwoman, janitress) Cleans and keeps in an orderly condition factory working areas and wash rooms, or premises of an office, apartment house, or commercial or other establishment. Duties involve a combination of the following: sweeping, mopping and/or scrubbing, and polishing floors; removing chips, trash and other refuse; dusting equipment, furniture, or fixtures; polishing metal fixtures or trimmings; providing supplies and minor services, cleaning lavatories, showers, and rest rooms. Workers who

specialize in window washing are excluded.

Battery hand: Transfers or loads quills or bobbins of filling to the battery or loading hopper of automatic looms. May convey filling to looms by means of a hand truck.

Trucker, hand (including bobbin boy) Pushes or pulls hand trucks, cars, or wheelbarrows used for transporting goods and materials of all kinds about a warehouse, manufacturing plant, or other establishment, and usually loads or unloads hand truckers or wheelbarrows. May stack materials in storage bins, etc., and may keep records of materials moved.

Doffer spinning frame: Removes full bobbins of yarn from spindles of ring or cap spinning frames, replaces with empty ones and starts yarn on empty bobbins. May help piece-up broken ends of yarn.

Data on these four occupations are found in Tables 3, 15, 16 and 17 and in the separate area tabulations included in Supplementary Government Exhibit A, Tables 18–22. The area tabulations contained in this exhibit show data for approximately 75.4 percent of the workers in the country as a whole.

With respect to these four occupations, Table 3 of Supplementary Government Exhibit A shows that a total of 5,518 workers or 5.5 percent of all production workers covered by the survey were janitors, battery hands, hand truckers, or spinning frame doffers. The average wages were $1.27, $1.22, $1.29 and $1.27 an hour, respectively. These occupations have the lowest reported average straight-time hourly earnings of the "selected occupations" for the country as a whole and, with rare exceptions, this is true in almost every area for which the Bureau of Labor Statistics shows separate data. The Bureau of Labor Statistics informed the Divisions that the selected occupations include a complete range of occupations from the lowest-paid to the highest-paid workers. Workers in "selected" occupations comprise 44.8 percent of all production workers covered by the survey. Since janitors, hand truckers, battery hands and doffers generally receive the lowest wage among the "selected" occupations, it is therefore clear that the wages of these workers constitute a firm basis for determining the prevailing minimum wage in the industry when the criterion of "similar work" is used.

Tables 15 and 16 of Supplementary Government Exhibit A provide information as to the lowest rate paid to workers who are primarily engaged in work included within the description of one or another of these four occupations and the lowest job rate in establishments which did not report any such workers. Altogether 446 establishments either reported workers in one or more of these four occupations or, reporting none, gave information as to the lowest established job rate. Of these establishments, the majority either paid $1.20 or more as the lowest rate for workers in any of these four occupations or having no workers in any of these occupations reported $1.20 or more as the lowest job rate. These establishments employ 61.5 percent of the production workers in the broad-woven goods, yarn, and thread branch of the industry.

Table 17 of Supplementary Government Exhibit A shows a percentage distribution of straight-time average hourly earnings for workers in each of these four occupations separately and for all workers combined in the four occupations. This tabulation indicates that the overwhelming majority of the workers in each occupation and in the four occupations combined receive earnings of at least $1.20 an hour.

As mentioned above, it is clear that janitors, battery hands, hand truckers and doffers are the lowest-paid workers in the broad-woven goods, yarn and thread branch of the woolen and worsted industry. It follows, therefore, that a determination of prevailing minimum wages for other occupations would show minimum rates at least as high, and in most instances higher, than the rates for these four occupations. However, even if detailed occupational wage data were available for every possible duty in a woolen and worsted mill, it would obviously be undesirable to make a separate determination for each such occupation. The necessity for detailed job descriptions and the overlapping of duties between one job and another would lead to complications and misunderstandings in applying the determinations on the part of the industry and to difficult administrative problems in the proper enforcement of such determinations on the part of the Wage and Hour and Public Contracts Divisions of the Department of Labor. In view of these practical considerations, I therefore conclude that it is entirely proper to apply the minimum rate of $1.20 an hour to all occupations in the broad-woven goods, yarn and thread branch of the woolen and worsted industry which are covered under the regulations issued pursuant to the Walsh-Healey Public Contracts Act. Work performed in one woolen and worsted mill is by its very nature similar to work performed in other woolen and worsted mills. Accordingly, on the basis of "similar work", I conclude that $1.20 an hour is the prevailing minimum wage for all occupations in the broad-woven goods, yarn and thread branch of the woolen and worsted industry, as defined herein.

The above analysis has been confined to plants primarily engaged in spinning and related operations or in weaving broad-woven fabrics, which plants also account for most scouring and combing, wool blankets, and dyeing and finishing. There is, however, information for plants which principally manufacture pressed felt from the listings presented by the Textile Workers of America, as pointed out at the hearing by a representative of the National Association of Wool Manufacturers who questioned the inclusion in the union's listings of plants making pressed felt since he believed that the existing definition does not include this product. The files of the Department indicate that pressed felts have consistently been held to be included in this industry.

The listings of the Textile Workers Union of America include data on pressed felt manufacturing establishments employing in excess of 3,400 workers. These data cover a very large proportion of the total employment of 4,167 workers in plants making pressed felt, as reported in the 1947 Census of Manufactures. These data indicate that minimum wages in establishments producing pressed felt are at least as high as those in woolen and worsted spinning and weaving plants. None of the data relating to establishments producing pressed felt was questioned by industry representatives.

On the basis of the record, I conclude that the prevailing minimum wages for establishments manufacturing pressed felt is $1.20 an hour.

From all the evidence in the record, therefore, I conclude that $1.20 an hour is the prevailing minimum wage for the broad-woven goods, yarn and thread branch of the woolen and worsted industry.

Learners and apprentices. The notice of hearing invited comment and testimony as to the need for inclusion in any amended determination for a provision covering the employment of learners and/or apprentices at subminimum rates. The Textile Workers Union of America proposed that learners be employed at a subminimum rate of $1.115. The representative of this union stated at the hearing that the contracts held by his union in this industry all provide for a 320 hour period for learners and beginners. General Irving J. Phillipson representing Botany Mills, Inc., testified at the hearing that the lowest starting rate for production workers at the plant he represents is $1.05 an hour and that according to the provisions in the union contract, this rate increases to $1.265 after 17 weeks. There was no other testimony in the record with respect to learners or beginners. An examination of union agreements submitted by the unions as well as those on file with the Bureau of Labor Statistics reveals that there is a prevailing practice in the industry to pay new workers during a specified probationary period less than the contract minimum applying to experienced workers. Although the length of the probationary period and the differential between the starting and minimum job rate varies somewhat from plant to plant, the practice generally followed under union contracts covering a large proportion of the employees in the industry is to pay new employees with less than 320 hours experience in the industry a rate of 15 cents an hour less than the minimum job rate.

On the basis of the record, it appears that a provision for the employment of learners and beginners at subminimum rates should be provided and that the length of the learning period as presently permitted should be continued. Accordingly, I find that the wage rate of $1.05 an hour is an appropriate and reasonable subminimum rate for learners and beginners in the broad-woven goods, yarn and thread branch of the woolen and worsted industry.

No testimony was introduced at the hearing regarding a need for a submini-

mum rate covering the employment of apprentices. The present determination does not make any provision for the employment of apprentices at subminimum rates. Consequently, I find that there is no need for a special provision covering the employment of apprentices.

Handicapped workers. The general regulations presently permit employment of handicapped workers at subminimum rates on contract work under the act and this authorization was not at issue in the proceedings. It appears advisable to include in the determination, however, specific authorization for such employment.

Fringe benefits. The Textile Workers Union of America and the United Textile Workers of America recommended that a cost-of-living provision be included in the determination reflecting that provided for in their collective bargaining agreements and, in addition, all fringe benefits covered in their contracts. The National Association of Wool Manufacturers vigorously opposed the inclusion of such fringe benefits in any determination.

No determination issued under the act provides for cost-of-living increases, shift differentials, paid holidays, insurance or pension plans or any other similar benefits. Provisions of the type listed above would be administratively cumbersome, and for some of them proper enforcement would be virtually impossible. Moreover, there is considerable legal question as to whether such provisions are truly a part of prevailing minimum wages. For these reasons, I conclude that the determination should not contain provisions relating to these fringe benefits.

Proposed decision. Notice is hereby given that, in accordance with all of the considerations expressed herein, I propose to issue a decision in this matter as set forth below. Interested parties may submit, within 30 days from publication of this proposed decision in the FEDERAL REGISTER, any exceptions to the proposed decision or any data intended either in rebuttal or in support of any of the tabulations or data received as part of the record following the close of the hearing.

The minimum wage determination for the woolen and worsted industry contained in § 202.47 (41 CFR Part 202) is amended as follows:

"1. Section 202.47 (b) is amended to read as follows:

(b) *Minimum wage.* (1) The minimum wage for persons employed in the manufacturing or furnishing of the products of the broad-woven goods, yarn and thread branch of the woolen and worsted industry under contracts subject to the Walsh-Healey Public Contracts Act shall be $1.20 an hour arrived at either on a time or piece rate basis. The broad-woven goods, yarn and thread branch includes the manufacturing, processing (including all preparatory processing) dyeing or other finishing of any of the following items which are within the scope of the woolen and worsted industry, as defined herein: Broad-woven fabrics (fabrics over 12 inches in width), yarn, thread, blankets, and pressed felt.

(2) The minimum wage for persons employed in the manufacturing or furnishing of the products of the woolen and worsted industry, other than the products of the broad-woven goods, yarn and thread branch of the industry under contracts subject to the Walsh-Healey Public Contracts Act shall be $1.05 an hour, arrived at either on a time or piece rate basis.

"2. Section 202.47 (c) is amended to read as follows:

(c) *Subminimum wages authorized.* (1) Learners and beginners may be employed subject to the following terms and conditions:

(i) In the performance of contracts for the products of the broad-woven goods, yarn and thread branch of the woolen and worsted industry, learners and beginners may be paid a subminimum rate of $1.05 an hour, unless experienced workers in the same plant are paid on a piece rate basis, in which case learners and beginners must be paid the same piece rates paid to experienced workers, and earnings based upon those piece rates if such earnings are in excess of $1.05 per hour. In the performance of contracts for products of the woolen and worsted industry, other than the products of the broad-woven goods, yarn and thread branch of the industry, learners and beginners may be paid a subminimum rate of 90 cents an hour unless experienced workers in the same plant are paid on a piece rate basis, in which case learners and beginners must be paid the same piece rates paid to experienced workers and earnings based upon these piece rates, if such earnings are in excess of 90 cents an hour;

(ii) The permitted length of the learning period for learners and beginners shall be 320 hours unless the learner or beginner has had previous experience in the industry, in which case the number of hours of such experience must be deducted from the 320-hour learning period;

(iii) A learner or beginner for the purpose of this determination is a person who has had less than 320 hours' experience in the industry.

(2) (i) Handicapped workers may be employed at wages below the applicable minimum wages specified herein upon the same terms and conditions as are prescribed for the employment of handicapped workers by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR Parts 524 and 525) under section 14 of the Fair Labor Standards Act as amended.

(ii) The Administrator of the Public Contracts Division is authorized to issue certificates under the Public Contracts Act for the employment of handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act."

Signed at Washington, D. C., this 19th day of January 1953.

MAURICE J. TOBIN,
Secretary of Labor

[F. R. Doc. 53-849; Filed, Jan. 26, 1953; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 61584]

ALABAMA

SMALL TRACT CLASSIFICATION ORDER 2

JANUARY 21, 1953.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, under section 2.21 of Order No. 427, approved by the Secretary of the Interior on August 16, 1950 (15 F. R. 5641), I hereby classify, under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended (59 Stat. 467, 43 U. S. C. sec. 682a) the following described public lands for lease and sale for all purposes mentioned in the act, except business, with sale prices as indicated:

ST. STEPHENS MERIDIAN

T. 9 S., R. 1 E., Sec. 25, SW¼NW¼.
Lot 2, $1,000.
Lots 3, 4, 6, 7, $800 each.
Lots 8 to 11, inclusive, $400 each.
Lots 12 to 19, inclusive, $300 each.
Lots 20 to 27, inclusive, $600 each.
T. 9 S., R. 2 E., Sec. 25, lots 5 and 6:
Lots 9 to 24, inclusive, $300 each.
Lots 25 to 40, inclusive, $400 each.
Lots 41 to 56, inclusive, $500 each.
Lots 57 to 72, inclusive, $700 each.

There are 25 lots located in section 25, T. 9 S., R. 1 E., containing from 0.72 acre to 1.64 acres and measuring from 166.32 feet wide by 183.48 feet long, to 332.64 feet wide by 240.90 feet long, respectively, with the long dimension running north and south. There are also 64 lots (9 through 72) located in old lots 5 and 6, section 25, T. 9 S., R. 2 E., measuring approximately 165 feet wide by 330 feet long, long dimensions running north and south. These tracts, with surfaces consisting of white sand dunes and ridges, are situated in the southwestern part of Baldwin County, on a narrow neck of land that extends westerly between Bon Secours Bay and the Gulf

of Mexico. On the western end of this neck of land is Fort Morgan, a military post. A good blacktop road extends from this military reservation easterly to the mainland where it connects, at a resort known as Gulf Shores, with State Highway No. 3. They may be reached over U. S. Highway No. 90 from Mobile to Robertsdale, Alabama, thence southward over blacktop state road No. 3, through Foley to its intersection with improved blacktop Dixie Graves Parkway at a point approximately 14 miles east of the small tracts herein classified. The Dixie Graves Parkway is a State Recreational area 330 feet wide, and is designated as lot 5 on the plat of survey made to accommodate small tract disposals.

2. A multiplicity of filings by those persons entitled to claim veterans' preference for service in World War II is anticipated during the simultaneous filing period. Therefore, in accordance with the provisions of 43 CFR 257.8, Cir. 1764, containing small tract regulations approved September 11, 1950, the special procedure and drawing outlined therein will be used. This special procedure does not apply to veterans of other wars of the United States.

3. As to applications regularly filed prior to 10:00 a. m., October 22, 1947, as to lots 5, 6, section 25, T. 9 S., R. 2 E., and prior to 2 p. m., April 17, 1951, as to the SW¼NW¼ section 25, T. 9 S., R. 1 E., covering the types of site for which these lands are classified, this order shall become effective upon the date it is signed. No applications are of record as having been filed prior to October 22, 1947, as to lots 5, 6, section 25, T. 9 S., R. 2 E. Applications are of record filed for a portion of the SW¼ NW¼ section 25, T. 9 S., R. 1 E., entitling the applicants to a prior right covering lots 2, 3, 4, 6, 7, 9, 10, 14, 20, 22, 23, 25, 26.

4. As to lands not covered by applications referred to in paragraph 3, this order shall not become effective to change the status of the lands until 10:00 a. m., on the 35th day after the date of this order.

5. Commencing at 10:00 a. m., on the date of this order and for a period of 35 days thereafter, the lands described herein shall be subject to the filing of drawing entry cards only by those persons entitled to claim World War II veterans' preference under the act of September 27, 1944 (58 Stat. 748; 43 U. S. C. 279–284) as amended. Such veterans desiring to participate in the drawing, may apply to the Regional Administrator, Region VI, Bureau of Land Management, Interior Department, Washington 25, D. C., for a drawing entry card Form 4–775, upon which the veteran will print clearly his name, post office address, and sign his full name in the space provided on the card, certifying that he is a citizen of the United States, over 21 years of age or the head of a family, and entitled to veterans' preference based upon service in World War II and honorable discharge from such service. Only one drawing entry card may be filed by an entrant. No filing fee or additional papers should accompany the drawing entry card. All drawing entry cards completed as indicated shall be mailed to the above-mentioned Regional Administrator and must be forwarded in time to reach him not later than 10:00 a. m. on the 35th day after the date of this order. All cards of qualified entrants received not later than the hour and date mentioned will be placed in a box and at 2:00 p. m., on the business day following such 35th day and thoroughly mixed in the presence of such persons as may desire to be present. The cards will then be drawn by a disinterested party, one at a time, and numbered in the order drawn to establish an adequate list of eligibles and of alternates to whom the available tracts will be allocated in consecutive order. The numbers assigned in the drawing will fix the order in which the tracts not covered by applications filed prior to 10:00 a. m., on October 22, 1947 and April 17, 1951 at 2 p. m., will be allocated to the successful entrants, beginning with lot 2, section 25, T. 9 S., R. 1 E., and continuing in numerical sequence through that section, except lots 5 and 24 and through section 25, T. 9 S., R. 2 E., except lots 73 and 74.

6. Each successful entrant to whom a tract is awarded will be sent by registered mail a decision making appropriate requirements with an offer to lease Form 4–776, in duplicate, bearing the description of the tract. The forms must be completely filled out, signed and returned by the successful entrant within the time allowed, accompanied by a $10.00 filing fee and $15.00 representing rental for a 3-year period; also a complete photostat, or other copy (both sides) of his certificate of honorable discharge, or of an official document of the branch of service which shows clearly his discharge, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. An award to a successful entrant who was not qualified to enter the drawing, or who for any reason fails within the time allowed to comply with the requirements of the decision accompanying the lease forms, will be canceled upon the records and the lot will become available to the alternate next in line as determined by the drawing. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

7. A 33-foot right of way for roads and public utilities will be reserved as follows: Section 25, T. 9 S., R. 1 E., South side of lots 12 to 19 inclusive; North side of lots 20 to 27 inclusive; East side of lots 11, 12, 27; West side of lots 6, 19, 20. Sec. 25, T. 9 S., R. 2 E., South side of lots 9 to 24 and 41 to 56 inclusive; North side of lots 25 to 40 and 57 to 72 inclusive; West side of lots 12, 16, 20, 29, 33, 37, 44, 48, 52, 61, 65, 69; East side of lots 13, 17, 21, 28, 32, 36, 45, 49, 53, 60, 64, and 68.

8. Lot 24, section 25, T. 9 S., R. 1 E., and lots 73 and 74 section 25, T. 9 S., R. 2 E., are not classified for disposal under the Small Tract Law but are set aside and reserved as recreational areas for use by the general public.

9. Each entrant to whom no lot is allocated will be informed thereof by the return of his drawing card carrying a notation to that effect.

10. The lots, if any, which are not leased as a result of the drawing, will not become subject to application by veterans who do not participate in the drawing or by the general public until a further order has been issued granting veterans of World War II a preference right of application for a period of 90 days.

H. S. PRICE,
Regional Administrator, Region VI.

[F. R. Doc. 53–858; Filed, Jan. 26, 1953; 8:45 a. m.]

[Misc. 55354]

FLORIDA

SMALL TRACT CLASSIFICATION ORDER 13

JANUARY 21, 1953.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, under section 2.21 of Order No. 427, approved by the Secretary of the Interior on August 16, 1950 (15 F. R. 5641) I hereby classify, under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended, (59 Stat. 467, 43 U. S. C. 682a), the following described public lands for lease and sale for all purposes mentioned in the act, except business, with sale prices as indicated:

TALLAHASSEE MERIDIAN

T. 2 S., R. 24 W., Sec. 1:
Lots 7 to 33 incl., $150 each.

2. The above-described 32 lots contain 1.26 acres each and measure from 165.00 feet wide by 333.63 feet long to 165.00 wide by 333.76 feet long, respectively, with the long dimension running north and south. The land is located about 3 miles north of Fort Walton, Florida, and west of the Bayview Subdivision. The southeast corner of the land is situated on the edge of an unimproved road extending along its south boundary about 400 feet west of Florida State Highway No. 85. The surface of the land is level with portions quite low and somewhat swampy. The soil in general is a white very fine sand with the dominant vegetation consisting of scrub and post oaks intermingled with small second growth pine. The land east of the highway and between the highway and Choctawhatchee Bay has been subdivided into developments called Garnier and Bayview Beaches. The tract may be reached over U. S. Highway No. 98 from Pensacola or Panama City, Florida.

3. A multiplicity of filings by those persons entitled to claim veterans' preference for service in World War II only is anticipated during the simultaneous filing period. Therefore, in accordance with the provisions of 43 CFR 257.8, Circ. 1764, containing small tract regulations approved September 11, 1950, the special procedure and drawing outlined therein will be used. This special procedure does not apply to veterans of other wars of the United States.

4. As to applications regularly filed prior to 10:00 a. m., October 17, 1949, covering the type of site for which these lands are classified, this order shall become effective upon the date it is signed.

5. As to lands not covered by applications referred to in paragraph 4, this order shall not become effective to change the status of the lands until 10:00 a. m. on the 35th day after the date of this order.

6. Commencing at 10:00 a. m., on the date of this order and for a period of 35 days thereafter, the lands described herein shall be subject to the filing of drawing entry cards only by those persons entitled to claim World War II veterans' preference under the act of September 27, 1944 (58 Stat. 748, 43 U. S. C. 279–284) as amended. Such veterans desiring to participate in the drawing may apply to the Regional Administrator, Region VI, Bureau of Land Management, Interior Department, Washington 25, D. C., for a drawing entry card Form 4–775, upon which the veteran will print clearly his name, post office address, and sign his full name in the space provided on the card, certifying that he is a citizen of the United States, over 21 years of age or the head of a family and entitled to veterans' preference based upon service in World War II and honorable discharge from such service. Only one drawing entry card may be filed by an entrant. No filing fee or additional papers should accompany the drawing entry card. All drawing entry cards when completed as indicated shall be mailed to the above-mentioned Regional Administrator and must be forwarded in time to reach him not later than 10:00 a. m. on the 35th day after the date of this order. All cards of qualified entrants received not later than the hour and date mentioned will be placed in a box and at 2:00 p. m., on the business day following such 35th day and thoroughly mixed in the presence of such persons as may desire to be present. The cards will then be drawn by a disinterested party one at a time, and numbered in the order drawn to establish an adequate list of eligibles and of alternates to whom the available tracts will be allocated in consecutive order. The numbers assigned in the drawing will fix the order in which the tracts not covered by applications filed prior to 10:00 a. m. on October 17, 1949, will be allocated to the successful entrants, beginning with lot 7 of section 1, T. 2 S., R. 24 W and continuing in numerical sequence through lot 38 thereof.

7. Each successful entrant to whom a tract is awarded will be sent by registered mail a decision making appropriate requirements with an offer to lease Form 4–776, in duplicate, bearing the description of the tract. The forms must be completely filled out, signed and returned by the successful entrant within the time allowed, accompanied by a $10.00 filing fee and $15.00 representing rental for a 3-year period; also a complete photostat, or other copy (both sides) of his certificate of honorable discharge, or of an official document of the branch of the service which shows clearly his honorable discharge, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. An award to a successful entrant who was not qualified to enter the drawing, or who for any reason fails within the time allowed to comply with the requirements of the decision accompanying the lease forms, will be canceled upon the records; and the lot will become available to the alternate next in line as determined by the drawing. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

8. A 33-foot right of way for roads and public utilities will be reserved as follows: Section 1, T. 2 S., R. 24 W., North side of lots 7 to 14 incl; South side of lots 15 to 22 incl, North side of lots 23 to 30 incl; South side of lots 31 to 38 incl; East side of lots 7, 22, 23 and 38; West side of lots 10, 19, 26 and 35· East side of lots 11, 18, 27 and 34, West side of lots 14, 15, 30 and 31.

9. Each entrant to whom no lot is allocated will be informed thereof by the return of his drawing card carrying a notation to that effect.

10. The lots, if any, which are not leased as a result of the drawing, will not become subject to application by veterans who do not participate in the drawing or by the general public until a further order has been issued granting veterans of World War II a preference right of application for a period of 90 days.

H. S. PRICE,
Regional Administrator Region VI.

[F. R. Doc. 53–859; Filed, Jan. 26, 1953; 8:45 a. m.]

[Misc. 1849259]

WISCONSIN

SMALL TRACT CLASSIFICATION ORDER 5

JANUARY 21, 1953.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, under section 2.21 of Order No. 427, approved by the Secretary of the Interior on August 16, 1950 (15 F R. 5641) I hereby classify, under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended, (59 Stat. 467, 43 U. S. C. 682a) the following described public lands for lease and sale for all purposes mentioned in the act, except business, with sale prices as indicated:

T. 37 N., R. 8 E., 4th P. M. Subdivision of Lot 11 Sec. 33:
Lots 40, 41, 58, 59, 60, $100 each.
Lots 34, 38, 56, 57, 61, 64, $200 each.
Lots 39, 45, 46, 49, 50, 55, 62, 63, $300 each.
Lots 35, 36, 37, 47, 48, 51, 52, 53, 54, $350 each.

2. The above subdivided Lot 11 was included in Small Tract Classification Order No. 22, Wisconsin No. 2, dated August 18, 1942, amended February 17, 1948, but was never leased for the reasons that (1) its acreage was too large for inclusion in a single lease and (2) could not be satisfactorily divided for leasing under the Small Tract Law. Accordingly, the aforementioned Classification Order is hereby vacated as to Lot 11 and this order substituted therefor.

The acreage of the lots is as follows:

Lot No..	Acres	Lot No..	Acres
34	0.68	51	0.62
35	1.37	52	80
36	1.30	53	1.12
37	74	54	1.11
38	78	55	1.30
39	1.67	56	2.07
40	.58	57	1.10
41	.33	58	87
45	.54	59	1.02
46	.55	60	91
47	.41	61	89
48	1.38	62	1.30
49	80	63	1.23
50	65	64	78

Lots 42, 43 and 44 are excluded from the present Classification Order for inclusion in a Special Land Use Permit to be issued to the Rhinelander Local Council of Girl Scouts. Lot 35 was awarded to Alfred B. Freeborn under Serial No. BLM 017057 since his application was filed prior to March 25, 1949.

3. The land is located about 5 miles west of Rhinelander, Wisconsin and is accessible by 3 miles of paved highway and 2 miles of improved country roads. The country road extends to within ⅛ of a mile of the land, which is between Lake Flanner and Lake Dumbell with lots 34 to 55 inclusive, fronting on Lake Flanner, and lots 56 to 64 fronting on Lake Dumbell. The surface of the land is rolling and it is glaciated in character and the soil is sandy with considerable rock. Some of the lots are swampy along the shore. The land has been cut over and the original native pine removed many years ago. The present timber growth consists of small maple, birch, aspen and oak, very little of which is of merchantable size. The undergrowth consists of ferns, blueberries, brush with various weeds and flowers.

4. A multiplicity of filings by those persons entitled to claim veterans' preference for service in World War II only is anticipated during the simultaneous filing period. Therefore, in accordance with the provisions of 43 CFR 257.8, Circ. 1764, containing small tract regulations approved September 11, 1950, the special procedure and drawing outlined therein will be used. This special procedure does not apply to veterans of other wars of the United States.

5. As to applications regularly filed prior to 10:00 a. m., March 25, 1949, covering the type of site for which these lands are classified, this order shall become effective upon the date it is signed.

6. As to lands not covered by applications referred to in paragraph 5, this order shall not become effective to change the status of the lands until 10:00 a. m., on the 35th day after the date of this order.

7. Commencing at 10:00 a. m., on the date of this order and for a period of 35 days thereafter, the lands described herein shall be subject to the filing of drawing entry cards only by those persons entitled to claim World War II veterans' preference under the act of September 27, 1944 (58 Stat. 748, 43 U. S. C. 279–284), amended. Such veterans desiring to participate in the drawing may apply to the Regional Administrator, Region VI, Bureau of Land Management, Interior Department,

Washington 25, D. C., for a drawing entry card Form 4–775, upon which the veteran will print clearly his name, post office address, and sign his full name in the space provided on the card, certifying that he is a citizen of the United States, over 21 years of age or the head of a family, and entitled to veterans' preference based upon service in World War II and honorable discharge from such service. Only one drawing entry card may be filed by an entrant. No filing fee or additional papers should accompany the drawing entry card. All drawing entry cards when completed as indicated shall be mailed to the abovementioned Regional Administrator and must be forwarded in time to reach him not later than 10:00 a. m. on the 35th day after the date of this order. All cards of qualified entrants received not later than the hour and date mentioned will be placed in a box and at 2:00 p. m., on the business day following such 35th day and thoroughly mixed in the presence of such persons as may desire to be present. The cards will then be drawn by a disinterested party, one at a time, and numbered in the order drawn to establish an adequate list of eligibles and of alternates to whom the available tracts will be allocated in consecutive order. The numbers assigned in the drawing will fix the order in which the tracts not covered by applications filed prior to 10:00 a. m. on March 25, 1949, will be allocated to the successful entrants, beginning with lot 34 of section 33, T. 37 N., R. 8 E. and continuing in numerical sequence through lot 64 thereof.

8. Each successful entrant to whom a tract is awarded will be sent by registered mail a decision making appropriate requirements with an offer to lease Form 4–776, in duplicate, bearing the description of the tract. The forms must be completely filled out, signed and returned by the successful entrant within the time allowed, accompanied by a $10.00 filing fee and $15.00 representing rental for a 3-year period; also a complete photostat, or other copy (both sides) of his certificate of honorable discharge, or of an official document of the branch of the service which shows clearly his honorable discharge, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. An award to a successful entrant who was not qualified to enter the drawing, or who for any reason fails within the time allowed to comply with the requirements of the decision accompanying the lease forms, will be canceled upon the records, and the lot will become available to the alternate next in line as determined by the drawing. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

9. A 33-foot right of way for roads and public utilities will be reserved as follows: Section 33, T. 37 N., R. 8 E., West side lots 35 to 39 incl; West side lots 48 to 55 incl; East side lots 56 to 64 incl; South side lots 39 to 41 incl; North side lots 44 to 48 incl.

10. Each entrant to whom no lot is allocated will be informed thereof by the return of his drawing card carrying a notation to that effect.

11. The lots, if any, which are not leased as a result of the drawing, will not become subject to application by veterans who do not participate in the drawing or by the general public until a further order has been issued granting veterans of World War II a preference right of application for a period of 90 days.

H. S. PRICE,
Regional Administrator, Region VI.

[F. R. Doc. 53-860; Filed, Jan. 26, 1953; 8:46 a. m.]

Bureau of Reclamation

[Commissioner's Order No. 20]

ASSISTANT COMMISSIONERS AND REGIONAL DIRECTORS

REDELEGATION OF AUTHORITY WITH RESPECT TO SALE OF PUBLIC LANDS

JANUARY 16, 1953.

SECTION 1. *Redelegation.* Assistant Commissioners and Regional Directors may sell public lands within Federal reclamation projects pursuant to the acts of May 20, 1920 (41 Stat. 605; 43 U. S. C. 375) May 16, 1930 (46 Stat. 637; 43 U. S. C. 424–424e) or March 31, 1950 (64 Stat. 39, 43 U. S. C. Sup. 375b–375f) For specific sales, this authority may be exercised by District Managers and project heads when authorized in writing by their respective Regional Directors.

SEC. 2. *Limitation.* The authority granted in section 1 of this order shall be exercised in accordance with the regulations of the Secretary in Title 43 CFR, Part 402, Subpart A.

SEC. 3. *Authority.* This order is issued pursuant to 43 CFR 402.3.

G. W. LINEWEAVER,
Acting Commissioner.

[F. R. Doc. 53-864; Filed, Jan. 26, 1953; 8:47 a. m.]

[Commissioner's Order No. 21]

CERTAIN OFFICIALS

DELEGATION OF AUTHORITY WITH RESPECT TO DISPOSAL OF REAL PROPERTY

JANUARY 16, 1953.

SECTION 1. *Delegation.* Subject to issuances of the Office of the Secretary, regulations of the General Services Administration, and Bureau policy and procedures, the Director of Supply, Regional Directors, Regional Supply Officers, District Managers, and Project Heads may:

(a) Transfer excess real property and excess related personal property;

(b) Donate, sell, or otherwise dispose of surplus real property and surplus related personal property.

SEC. 2. *Limitation.* The Regional Directors may issue instructions setting forth the conditions of review, limitations of authority, etc., under which their respective subordinates may exercise these delegated authorities.

SEC. 3. *Authority.* This order is issued pursuant to Departmental Order No. 2696 (17 F. R. 6795) as revised by Amendment No. 1.

MICHAEL W. STRAUS,
Commissioner of Reclamation.

[F. R. Doc. 53-865; Filed, Jan. 26, 1953; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2009]

NORTHERN NATURAL GAS CO.

NOTICE OF AMENDED AND SUPPLEMENTED APPLICATION

JANUARY 21, 1953.

Take notice that Northern Natural Gas Company (Applicant) a Delaware corporation with its principal office at 223 Dodge Street, Omaha, Nebraska, filed on July 22, 1952, supplemented on September 25, 1952 and amended and supplemented on January 5, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 6.5 miles of 30-inch and 1.4 miles of 8⅝-inch diameter natural gas transmission pipe line, an addition to its Hugoton, Kansas, compressor station of one 1320 HP compressor unit, and a measuring and regulating station, all of which are more fully described in the original application, notice of which was published on August 12, 1952, in the FEDERAL REGISTER (17 F. R. 7359).

In the original application filed on July 22, 1952, as supplemented on September 25, 1952, Applicant proposed by operation of the aforementioned natural gas transmission pipe line facilities, to deliver and sell on a firm basis up to 12,000 Mcf per day of natural gas to the Nitrogen Division, Allied Chemical & Dye Corporation (Allied) for use in a plant proposed to be constructed by Allied near La Platte, Nebraska, for the production of urea and other nitrogen fertilizer products.

In Part I of its second supplement filed on January 5, 1953, Applicant requests a certificate authorizing the construction and operation of 1.4 miles of 8⅝-inch diameter pipeline and measuring and regulating facilities, at a total estimated cost of $48,000, for the purpose of serving natural gas to Allied's proposed plant on an interruptible basis. Applicant estimates its sales to Allied on an interruptible basis will approximate 2.991 billion cubic feet for 12 months of full operation; that its revenues therefrom for 12 months of operation will approximate $718,560; and that such revenues will exceed the estimated incremental cost of service by $394,679.

Under Part I of its aforesaid supplement filed on January 5, 1953, Applicant states, among other things, that it is essential that natural gas service to Allied's proposed plant be assured and that in order to expedite such assurance and

enable Allied to commence promptly the construction of its proposed plant, Applicant proposes "to serve this plant on an interruptible basis at this time" In such supplement Applicant urges that an immediate hearing be had upon Part I of its application pertaining to the proposed interruptible service to Allied, and requests that such Part I be disposed of under the shortened procedure provided for in § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b))

In the said second supplement filed on January 5, 1953, Applicant designates its original application as filed on July 22, 1952, and supplemented on September 25, 1952, as part II of its application. Under this Part II, covering its proposed service of natural gas on a firm basis to Allied's plant, Applicant states that it proposes to go forward with the matters involved therein at a later date.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 9th day of February 1953. The application as amended and supplemented is on file with the Commission for public inspection.

In response to the notice published on August 12, 1952, in the FEDERAL REGISTER (17 F R. 7359) of the original application filed on July 2, 1952, a number of petitions to intervene, in opposition to the original application, have been filed with the Commission. It is requested that such petitioners file with the Commission on or before the 9th day of February 1953, amendments to the pending petitions to intervene setting forth in such amendments the respective positions of the petitioners with reference to Parts I and II of the application filed herein on July 22, 1952, as supplemented on September 25, 1952, and as amended and supplemented on January 5, 1953.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-863; Filed, Jan. 26, 1953; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 34, as Amended, Supplementary Regulation 3, as Amended, Section 5, Special Order 17]

GENERAL MOTORS CORP.

APPROVAL OF ADDITIONS TO CADILLAC 1949–52 FLAT RATE MANUAL

Statement of considerations. This Special Order, pursuant to section 5 of Supplementary Regulation 3 to Ceiling Price Regulation 34, approves certain supplements to time allowances which appear in the Cadillac 1949–52 Flat Rate Manual.

The Director of Price Stabilization has determined from the data submitted by the publisher of the Cadillac 1949–52 Flat Rate Manual that the approval of these supplements would not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

Special provisions. 1. On and after the effective date of this order, the supplements to the Cadillac 1949–52 Flat Rate Manual, as covered in General Motors Corporation (Cadillac) Bulletin No. CD–1, are authorized for use in establishing the time allowances for the operations described therein.

2. The following notice must be printed or stamped in a prominent position in the publication "Approved by OPS January 22, 1953, by Special Order No. 17 issued under section 5 of SR 3 to CPR 34."

3. All provisions of Ceiling Price Regulation 34, as amended, and Supplementary Regulation 3, as amended, except as changed by this Special Order shall remain in full force and effect.

4. This Special Order or any provision thereof may be revoked, suspended or amended at any time by the Director of Price Stabilization.

Effective date. This order shall become effective January 22, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 21, 1953.

[F. R. Doc. 53-856; Filed, Jan. 21, 1953; 5:03 p. m.]

[Ceiling Price Regulation 34, as Amended, Supplementary Regulation 3, as Amended, Section 5, Special Order 18]

STUDEBAKER CORP.

APPROVAL OF ADDITIONS ATTACHED TO LETTER TO DEALERS

Approval of Additions attached to letter to dealers from Studebaker Corp., 1401 K Street NW., Suite 1007 Tower Building, Washington 5, D. C., by Herbert Hughes, Washington Representative.

Statement of consideration. This Special Order, pursuant to section 5 of Supplementary Regulation 3 to Ceiling Price Regulation 34, approves certain changes and supplements to time allowances which appear in the Studebaker Service Operation Step and Time Guide covering 2R Series Trucks, Published in June 1949 and distributed to dealers at that time.

The Director of Price Stabilization has determined from the data submitted by the publisher of the Studebaker Service Operation Step and Time Guide covering 2R Series Trucks (1949) that the approval of these supplements would not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

Special provisions. 1. On and after the effective date of this order, the supplements to the Studebaker Service Operation Step and Time Guide covering 2R Series Trucks (1949) as covered in the Studebaker Application #ST–1 are authorized for use in establishing the time allowances for the operations described therein.

2. The following notice must be printed or stamped in a prominent position in the publication "Approved by OPS January 22, 1953 by Special Order No. 18, issued under section 5 of SR 3 to CPR 34."

3. All provisions of Ceiling Price Regulation 34, as amended, and Supplementary Regulation 3, as amended, except as changed by this Special Order shall remain in full force and effect.

4. This Special Order or any provision thereof may be revoked, suspended or amended at any time by the Director of Price Stabilization.

Effective date. This order shall become effective January 22, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 21, 1953.

[F. R. Doc. 53-857; Filed, Jan. 21, 1953; 5:04 p. m.]

[Ceiling Price Regulation 32, Supplementary Regulation 2, Section 3, Special Order 44]

WORLAND FIELD, WASHAKIE COUNTY, WYOMING

CRUDE PETROLEUM CEILING PRICES ADJUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the purchase or sale of sweet crude oil and condensate produced from the Second, Third and Fourth Frontier Formations in the Worland Field, Washakie County, Wyoming.

The Office of Price Stabilization has been requested to eliminate the differential heretofore imposed upon sweet crude oil and condensate produced from the Second, Third and Fourth Frontier Formations in the Worland Field, Washakie County, Wyoming. During the base period, adequate low cost transportation was not available and as a result the sweet crude oil and condensate produced from these Frontier Formations was commingled with sour crude and was sold at a lower price than that paid for sweet crude oil and condensate of comparable quality produced in this same general area. It appears that this condition has now been eliminated and this differential should no longer be imposed.

From the information available to this Office, it appears that the requested price of $2.65 per barrel for 40° API gravity and above with a 2-cent differential less for each degree of gravity below 40° down to $2.35 per barrel for 25°–25.9° API gravity does not exceed the area in-line ceiling price.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, *It is ordered.*

1. That the ceiling price at the lease receiving tank for sweet crude oil and condensate produced from the Second, Third and Fourth Frontier Formations in the Worland Field, Washakie County Wyoming, shall be: $2.65 per barrel for 40° API gravity and above with a 2-cent differential less for each degree of gravity below 40° down to $2.35 per barrel for 25°–25.9° API gravity.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with

the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on January 22, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 21, 1953.

[F. R. Doc. 53-855; Filed, Jan. 21, 1953; 5:03 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27726]

WAX, STOCK SPRAY AND INSECTICIDES FROM CHICAGO, ILL., AND POINTS GROUPED THEREWITH TO THE SOUTHWEST

APPLICATION FOR RELIEF

JANUARY 22, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Paraffine wax or petroleum wax, stock spray, and insecticides, carloads.

From: Chicago, Ill., and points grouped therewith.

To: Points in the Southwest.

Grounds for relief: Rail competition, circuity, grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3585, Supp. 535; F C. Kratzmeir, Agent, I. C. C. No. 3821, Supp. 110.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-867; Filed, Jan. 26, 1953; 8:47 a. m.]

[4th Sec. Application 27727]

BALER OR BINDER TWINE FROM BEAUMONT, GALVESTON, HOUSTON, AND TEXAS CITY, TEX., TO TULSA, OKLA.

APPLICATION FOR RELIEF

JANUARY 22, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for the Atchison, Topeka and Santa Fe Railway Company and the Gulf, Colorado and Santa Fe Railway Company.

Commodities involved: Baler or binder twine, carloads.

From: Beaumont, Galveston, Houston, and Texas City, Tex.

To: Tulsa, Okla.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3994, Supp. 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-868; Filed, Jan. 26, 1953; 8:48 a. m.]

[4th Sec. Application 27728]

GRAIN BETWEEN POINTS IN COLORADO AND POINTS IN KANSAS AND MISSOURI

APPLICATION FOR RELIEF

JANUARY 22, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by The Atchison, Topeka and Santa Fe Railway Company, for itself and on behalf of the Missouri Pacific Railroad Company.

Commodities involved: Grain, grain products, and related articles, carloads.

Between: Points in Colorado, on the one hand, and points in Kansas and Missouri, on the other.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: AT&SF Ry. tariff I. C. C. No. 14663, Supp. 22.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-869; Filed, Jan. 26, 1953; 8:48 a. m.]

[4th Sec. Application 27729]

SULPHURIC ACID FROM BATON ROUGE AND NORTH BATON ROUGE, LA., TO RIDGEWOOD, FLA.

APPLICATION FOR RELIEF

JANUARY 22, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent for carriers parties to the schedule listed below.

Commodities involved: Sulphuric acid, in tank-car loads.

From: Baton Rouge and North Baton Rouge, La.

To: Ridgewood, Fla.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1200, Supp. 74.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-870; Filed, Jan. 26, 1953; 8:48 a. m.]

[4th Sec. Application 27730]

LIQUID OR INVERT SUGAR FROM NORTH ATLANTIC PORTS AND POINTS TAKING SAME RATES TO THE SOUTH

APPLICATION FOR RELIEF

JANUARY 22, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Bom and I. N. Doe, Agents, for carriers parties to schedule listed below.

Commodities involved: Sugar, beet or cane, liquid, not flavored, colored or medicated, or invert sugar, carloads.

From: North Atlantic ports and points taking the same rates.

To: Points in Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia.

Grounds for relief: Competition with rail carriers, circuitous routes and grouping.

Schedules filed containing proposed rates: C. W Bom, Agent, I. C. C. No. A-827, Supp. 32.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-871; Filed, Jan. 26, 1953; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2978]

OHIO POWER CO.

SUPPLEMENTAL ORDER REGARDING BONDS AND PREFERRED STOCK

JANUARY 21, 1953.

The Commission, by order dated January 12, 1953, having granted the application, as amended, of the Ohio Power Company ("Ohio Power") an electric utility subsidiary of American Gas and Electric Company, a registered holding company, with respect to the issuance and sale by Ohio Power of $22,000,000 principal amount of First Mortgage Bonds __ percent Series due 1983, and 100,000 shares of __ percent Cumulative Preferred Stock, par value $100 per share, subject, among other things, to reservations of jurisdiction with respect to the results of competitive bidding under Rule U-50 concerning both securities, and with respect to fees and expenses; and

A further amendment having been filed on January 21, 1953, setting forth the action taken by Ohio Power to comply with the requirements of Rule U-50, and stating that pursuant to the invitation for competitive bids, the following bids for the securities have been received:

FIRST MORTGAGE BONDS

Bidder	Annual interest rate (percent)	Price to company [1] (percent of principal)	Annual cost to company (percent)
Halsey, Stuart & Co., Inc.	3⅜	102.08999	3.2652
The First Boston Corp.	3⅜	101.91	3.2745
Blyth & Co., Inc.	3⅜	101.53	3.2943
Kuhn, Loeb & Co.	3⅜	101.422	3.3000
Union Securities Corp. and Salamon Bros. & Hutzler	3⅜	101.32	3.3053
Harriman, Ripley & Co., Inc., and Stone & Webster Securities Corp.	3⅜	101.199	3.3116

[1] Exclusive of accrued interest.

PREFERRED STOCK

Bidder	Annual dividend rate (percent)	Price to company (per share)	Annual cost to company (percent)
Lehman Bros.	4.40	101.24	4.3461
Kuhn, Loeb & Co.	4.40	100.96	4.3582
Blyth & Co., Inc.	4.40	100.53	4.3768
The First Boston Corp.	4.40	100.33	4.3855
Union Securities Corp. and Salamon Bros. & Hutzler	4.40	100.33	4.3855
Harriman, Ripley & Co., Inc., and Stone & Webster Securities Corp.	4.44	100.79	4.4052

Said amendment to the application also setting forth that Ohio Power has accepted the bid for the Bonds of the group headed by Halsey, Stuart & Co., Inc., as shown above, and that said Bonds will be reoffered to the public at a price of 102.625 percent of the principal amount thereof plus accrued interest from January 1, 1953, to the date of payment and delivery, resulting in a gross underwriting spread of .53501 percent of the principal amount of said Bonds, said spread aggregating $117,702.20; and

Said amendment also setting forth that Ohio Power has accepted the bid for the Preferred Stock of the group headed by Lehman Brothers, as shown above, and that said Preferred Stock will be reoffered to the public at a price of $103 per share plus accrued dividends from date of issue to date of payment and delivery, resulting in a gross underwriting spread of $1.76 per share, said spread aggregating $176,000; and

Ohio Power having completed the record with respect to fees and expenses of the proposed transactions estimated in the amount of $130,721.50, including legal fees and disbursements of Ohio Power's counsel, as follows: Simpson Thacher & Bartlett, fees $13,000, disbursements $250; Pomerene, Burns & Milligan, fees $7,000, disbursements $1,100; Handlan, Garden, Matthews & Hess, fees $2,000, disbursements $375; and legal fees of Winthrop, Stimson, Putnam & Roberts, counsel for underwriters, in the amount of $7,800; and

The Commission having examined said amendment and having considered the record herein and finding no reason for the imposition of terms and conditions with respect to the terms of competitive bidding for said Bonds and Preferred Stock, and also finding that the estimated fees and expenses of the proposed transactions, including the fees of counsel for Ohio Power and independent counsel for the underwriters, are not unreasonable and that jurisdiction with respect thereto should be released:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said Bonds and Preferred Stock under Rule U-50, be, and the same hereby is, released, and that said application, as amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved over the payment of all fees and expenses incurred by Ohio Power in connection with the proposed transactions, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-878; Filed, Jan. 26, 1953; 8:49 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY WITH RESPECT TO DISPOSAL OF CROWN MOUNTAIN AIR WARNING SITE IN ST. THOMAS, VIRGIN ISLANDS, BY NEGOTIATED LEASE

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended (hereinafter referred to as "the act") I hereby authorize the Secretary of the Interior to determine that the property known as Crown Mountain Air Warning Site in St. Thomas, Virgin Islands, is not required for the needs and responsibilities of Federal agencies and to dispose of such property by negotiated lease upon such terms as may be deemed advantageous to the United States.

2. Prior to such determination and disposal of the property, the Secretary of the Interior shall take such steps as may be appropriate to determine whether any Federal agency has need therefor, and, if so, shall transfer the property to such agency upon such terms as to re-

imbursement as may be prescribed in accordance with the provisions of section 202 (a) of the act, as amended by section 1 (f) of Public Law 522, 82d Congress.

3. The Secretary of the Interior shall submit to the appropriate Committees of Congress an explanatory statement of the type required by section 203 (e) of the act, as amended by section 1 (i) of Public Law 522, 82d Congress, at least thirty (30) days prior to the consummation of any lease negotiated hereunder. A copy of each such statement shall be furnished to this Administration.

4. The authority herein delegated may be redelegated to any officer or employee of the Department of the Interior.

5. This delegation of authority shall be effective as of the date hereof.

Dated: January 19, 1953.

JESS LARSON,
Administrator

[F. R. Doc. 53-928; Filed, Jan. 23, 1953; 4:29 p. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19140]

H. GRIMMEISS

In re: Stock owned by H. Grimmeiss.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That H. Grimmeiss, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany)

2. That the property described as follows: Ten (10) shares of stock of Southern Pacific Company, 165 Broadway, New York, New York, evidenced by certificate numbered G-124694, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, H. Grimmeiss, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-886; Filed, Jan. 26, 1953; 8:49 a. m.]

[Vesting Order 19141]

L. GUNTHER

In re: Stock owned by L. Gunther.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That L. Gunther, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: Ninety-Six (96) shares of stock of the United States Steel Corporation, 71 Broadway, New York, New York, evidenced by the certificates numbered and in the amounts listed below:

Certificate No..	*Number of shares*
P-29500	10
P-29501	10
P-29502	10
P-29493	2
X-148460	64

together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, L. Gunther, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-887; Filed, Jan. 26, 1953; 8:49 a. m.]

[Vesting Order 19142]

HELENE LEUTZ

In re: Securities owned by and debt owing to Helene Leutz. F-28-12966.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Helene Leutz, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Eleven (11) shares of $100.00 par value stock of Security Bank of Hebron, evidenced by certificate numbered 95, issued in the name of Ferdinand Leutz Estate, and presently in the custody of the Security Bank of Hebron, Hebron, North Dakota, together with all declared and unpaid dividends thereon,

b. That certain debt or other obligation of the Security Bank of Hebron, Hebron, North Dakota, arising out of income and accretions on the shares of stock described in subparagraph 2 (a) hereof, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation, evidenced by a bank draft, numbered 39600, dated June 26, 1947, in the amount of $62.50 and presently in the custody of the Security Bank of Hebron, Hebron, North Dakota, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said draft,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or de-

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Helene Leutz, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person named in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-888; Filed, Jan. 26, 1953; 8:50 a. m.]

[Vesting Order 19143]

MRS. ALFRED MUELLER AND DR. HANS VON FLOTOW

In re: Securities owned by Mrs. Alfred Mueller and Dr. Hans von Flotow. F-63-10076-A-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Alfred Mueller and Dr. Hans von Flotow, each of whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. Six (6) shares of no par value common stock of El Paso Electric Company, evidenced by certificate numbered BCO-28368, registered in the name of Rush & Company, and presently in the custody of the Attorney General of the United States, together with any and all declared and unpaid dividends thereon,

b. Thirteen (13) shares of $5.00 par value common stock of General Motors Corporation, being a part of 26 shares evidenced by certificate numbered G-101-702, registered in the name of Rush & Company, and presently in the custody of the Attorney General of the United States, together with any and all declared and unpaid dividends thereon, and

c. Thirteen (13) shares of $25.00 par value capital stock of Texas Company, evidenced by certificate numbered TO-611834, registered in the name of Rush & Company, and presently in the custody of the Attorney General of the United States, together with any and all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Alfred Mueller and Dr. Hans von Flotow, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the persons named in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-889; Filed, Jan. 26, 1953; 8:50 a. m.]

[Vesting Order 19144]

ERNST OTTO REICHEL AND IDA REICHEL

In re: Bank account, bonds and mortgage owned by Ernst Otto Reichel, also known as Otto Reichel, and Ida Reichel. D-28-7926, A-1, B-1, C-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Ernst Otto Reichel, also known as Otto Reichel, and Ida Reichel, each of whose last known address is 70 Chemnitz Street, Burgstaedt, Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain debt or other obligation of Berks County Trust Company, Reading, Pennsylvania, arising out of a blocked trust account entitled Mrs. Elise Godshall, Trustee for Otto and Ida Reichel, nationals of Germany, and Henry Karl Godshall, as their interests may appear, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. Five (5) United States of America Series E bonds, dated May 1942, numbered and in the face amounts as follows:

Nos.	*Face amounts*
Q 29076097 E	$25.00
D 1569845 E	500.00
D 1569846 E	500.00
C 12364546 E	100.00
C 12364545 E	100.00

registered in the names of Mrs. Elise I. Godshall or Mr. Henry Karl Godshall, presently in the custody of Berks County Trust Company, Reading, Pennsylvania, in an account entitled Mrs. Elise Godshall, Trustee for Otto and Ida Reichel, nationals of Germany, and Henry Karl Godshall, as their interests may appear, together with any and all rights thereunder and thereto,

c. A mortgage, executed March 3, 1934, by Kermit Godshall and Elsie, also known as Elise I. Godshall, husband and wife, as mortgagors, to Ernst Otto Reichel as mortgagee, and recorded March 3, 1934, in the Office for Recording of Deeds in and for Berks County, State of Pennsylvania, in Mortgage Book No. 523, page 13, etc., and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of the aforesaid mortgage, and any and all notes, bonds, and other instruments evidencing such obligations,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernst Otto Reichel, also known as Otto Reichel, and Ida Reichel, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-890; Filed, Jan. 26, 1953; 8:50 a. m.]

[Vesting Order 19145]

FR. W. SEEKATZ

In re: Stock owned by Fr. W. Seekatz.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Fr. W. Seekatz, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: Ten (10) shares of stock of United States Leather Company, 27-29 Spruce Street, New York, New York, evidenced by certificate numbered 18959, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Fr. W. Seekatz, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-891; Filed, Jan. 26, 1953; 8:50 a. m.]

[Vesting Order 19147]

FRED C. THORNLEY

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Fred C. Thornley, deceased. F-28-79.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Fred C. Thornley, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January.1, 1947, where nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of the Manufacturers Trust Company, 55 Broad Street, New York 15, New York arising out of an account held by the aforesaid bank in the name of Fred C. Thornley, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947 was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Fred C. Thornley, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-893; Filed, Jan. 26, 1953; 8:50 a. m.]

[Vesting Order 19146]

MRS. FRANCES STOCK

In re: Bond owned by Mrs. Frances Stock.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Frances Stock who on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, is, and prior to January 1, 1947, was a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) Hugo Stinnes Industries Inc, 7 percent Sinking Fund Bond, numbered M 452, of $1,000.00 face value, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same and any and all rights under said bond,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Frances Stock, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 53-892; Filed, Jan. 26, 1953; 8:50 a. m.]

[Vesting Order 19148]

SOPHIE VOSS

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Sophie Voss, deceased. F-28-31983-D-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Sophie Voss, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That the property described as follows: Four and seventy one-hundredths (4-70/100ths) shares of no par value $1.40 Dividend Preference common stock of Public Service Electric and Gas Company, a corporation organized under the laws of the State of New Jersey, evidence by certificates numbered LO 53741 for 4 shares and 40386 for 70/100ths of a share, registered in the name of Sophie Voss, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Sophie Voss, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determination and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-894; Filed, Jan. 26, 1953; 8:51 a. m.]

[Vesting Order 19149]

OLGA WINKELMANN

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Olga Winkelmann, deceased, also known as Olga Winckelmann. F-28-31993.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Olga Winkelmann, deceased, also known as Olga Winckelmann, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of The Seamen's Bank For Savings, 74 Wall Street, New York 5, New York, arising out of an account numbered 554,623, entitled Olga Winckelmann, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Olga Winkelmann, deceased, also known as Olga Winckelmann, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-895; Filed, Jan. 26, 1953; 8:51 a. m.]

[Vesting Order 19150]

CERTAIN UNKNOWN GERMAN NATIONALS

In re: Portion of account maintained in the name of Union Bank of Switzerland, Zurich, Switzerland, and owned by persons whose names are unknown. F-63-139 (Zurich)

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, in the amount of $9,321.10 as of February 9, 1952, being a portion of funds on deposit in an account entitled Union Bank of Switzerland, Zurich, Switzerland, Old Account, as described by The Chase National Bank of the City of New York in its report on Form OAP-700, bearing its Serial No. 200, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is and prior to January 1, 1947, was property within the United States;

2. That the property described in subparagraph 1 hereof is and prior to January 1, 1947, was owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of and had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are and prior to

January 1, 1947, were nationals of a designated enemy country·

and it is hereby determined:

4. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany.

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-896; Filed, Jan. 26, 1953; 8:51 a. m.]

[Vesting Order 19151]

GERMANY AND CERTAIN UNKNOWN GERMAN NATIONALS

In re: United States Currency owned by the German Government and unknown German nationals.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Banco Central de Venezuela, Caracas, Venezuela, in or about August 1942, shipped to the Federal Reserve Bank of New York United States currency including an amount of $103,000.00;

2. That the persons who own the property described in subparagraph 4 hereof, who, if individuals, there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and, which if partnerships, corporations, associations or other business organizations, there is reasonable cause to believe on or since December 11, 1941 and prior to January 1, 1947, were organized under the laws of and had their principal places of business in Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

3. That the property described as follows: United States currency in the amount of $29,000.00 being a portion of United States currency shipped by Banco Central de Venezuela, Caracas, Venezuela, in or about August 1942, to the Federal Reserve Bank of New York and deposited with the Treasury Department in an account entitled "Secretary of the Treasury Special Deposit Account No. 3", and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by a designated enemy country (Germany),

4. That the property described as follows: United States currency in the amount of $74,000.00 being a portion of United States currency shipped by Banco Central de Venezuela, Caracas, Venezuela, in or about August 1942, to the Federal Reserve Bank of New York and deposited with the Treasury Department in an account entitled "Secretary of the Treasury Special Deposit Account No. 3", and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

5. That the national interest of the United States requires that the persons referred to in subparagraph 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 22, 1953.

For the Attorney General.

[SEAL] ROWLAND F KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-897; Filed Jan. 26, 1953; 8:51 a. m.]

[Vesting Order 19152]

WILLIAM KRANKENHAGEN

In re: Rights of William Krankenhagen under insurance contracts. Files Nos. F-28-6929-H-1, H-2 and H-3.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That William Krankenhagen, whose last known address is 33 Leoni-Berg, near Starnberg, Bavaria, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies Nos. 350285, 293069 and 383458 issued by The Guardian Life Insurance Company, New York, New York, to William Krankenhagen, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of the aforesaid Guardian Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to or which is evidence of ownership or control by, William Krankenhagen, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the person named in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 22, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-898; Filed, Jan. 26, 1953; 8:52 a. m.]

[Vesting Order 15255, Amdt.]

HENRIETTA E. GARRETT

In re: Estate of Henrietta E. Garrett, deceased. File No. D-28-1682; E. T. sec. Nos. 538 and 539.

Vesting Order 15255, dated October 18, 1950, is hereby amended as follows and not otherwise:

1. By deleting subparagraph 2–a thereof and substituting therefor the following:

a. An undivided one-third (⅓) interest in and to certain real property situated in Philadelphia County, Commonwealth of Pennsylvania, more particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, and

2. By deleting subparagraph 2–b thereof and substituting therefor the following:

b. An undivided one-third (⅓) interest in and to certain real property situated in Atlantic County, State of New Jersey, more particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, and

All other provisions of said Vesting Order 15255 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 22, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Real property situated in Philadelphia County, Commonwealth of Pennsylvania, more particularly described as follows:

Parcel 1. Premises 484 South Ninth Street, Philadelphia, Pennsylvania, more particularly described as follows: all that certain three story brick Messuage of Tenement and Lot or Piece of Ground situate on the West side of Ninth Street at the distance of One hundred feet Northward from the North side of Lombard Street in the Seventh Ward of the City of Philadelphia. Containing in front or breadth on the said Ninth street Twenty feet and extending in length or depth Westward of that width One hundred and eighty eight feet to Fothergill street. Bounded Northward by ground now or late of Andrew D. Cash, Southward by ground granted by Nathaniel Lewis Paleske to ____ ____ Westward by said Fothergill street and Eastward by Ninth street aforesaid. Together with all and singular the Buildings and Improvements, Streets, Alleys, Passages, Ways, Waters, Water-Courses, Rights, Liberties, Privileges, Hereditaments and Appurtenances whatsoever thereunto belonging or in any wise appertaining, and the Reversions and Remainders, Rents, Issues and Profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of them the said Thomas Kennedy and Caroline L. his wife in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

Parcel 2. Premises known as 482 South Ninth Street, Philadelphia, Pennsylvania, more particularly described as follows: All that certain three story brick Messuage or Tenement and lot or Piece of Ground Situate on the West side of Ninth Street at the distance of one hundred and forty one feet Southward from the South side of Pine Street in the Seventh Ward of the City of Philadelphia Containing in front or breadth on the said Ninth Street Twenty one feet and extending in length or depth Westward of that width one hundred and eighty eight feet to Fothergill Street Bounded Northward by ground now or late of Jesse Williamson, Westward by the said Fothergill Street, Southward by ground now or late of Henrietta E. Garrett and Eastward by Ninth Street aforesaid. Together with all and singular the Buildings and Improvements, Ways, Streets, Alleys, Passages, Waters, Water Courses, Rights, Liberties, Privileges, Hereditaments and Appurtenances whatsoever thereunto belonging or in any wise appertaining; and the Reversions and Remainders, Rents, Issues and Profits thereof; and all the Estate, Right, Title, Interest, Property, Claim and Demand whatsoever of her the said Ellen L. Taylor at law, in equity or otherwise howsoever of, in and to the same and every part thereof.

Parcel 3. Premises known as 133 South Thirteenth Street, Philadelphia, Pennsylvania, more particularly described as follows: All that certain three story Brick messuage or tenement and lot or piece of ground thereunto belonging Situate on the East side of Thirteenth Street between Walnut and Sansom (formerly called George) Streets in the Eighth Ward of the said City of Philadelphia. Beginning at the distance of Ninety six feet Southward from the South line of the said Sansom (late George) Street and containing in front or breadth on the said Thirteenth Street Sixteen feet and in length or depth Eastward Ninety two feet to a four feet wide alley leading from the said Sansom (late George) Street Southward one hundred and twelve feet to a ten feet wide Court which extends Westwardly along the South line of the hereby granted lot into the said Thirteenth Street. Bounded on the North by ground now or formerly of French and Roberts, on the East by the said four feet wide alley, on the South by the said Court and on the West by Thirteenth Street aforesaid. Together with the free use and privilege of the said four feet wide alley and ten feet wide alley or Court respectively in common with the owners and occupiers of the other ground bounding thereon and of free Ingress, Egress and Regress into, out of and along the same and of a water course therein at all times hereafter forever. Together with all and singular the Buildings, Improvements, Streets, Alleys, Passages, Ways, Waters, Water-Courses, Rights, Liberties, Privileges, Hereditaments and Appurtenances whatsoever thereunto belonging or in any wise appertaining, and the Reversions and Remainders, Rents, Issues and Profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of them the said Robert R. Taylor and Helen B. his wife in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

EXHIBIT B

Real property situated in Atlantic County, State of New Jersey, premises known as Fifteenth South Connecticut Avenue, Atlantic City, New Jersey, more particularly described as follows: Beginning at the Southeast corner of Atlantic and Connecticut Avenues and running thence (1) in a Southerly direction along the line of Connecticut Avenue two hundred feet; thence (2) in an Easterly direction parallel with Atlantic Avenue, one hundred sixty-two feet and six inches to the Westerly line of a twenty-five feet wide street running between Massachusetts and Connecticut Avenues; thence (3) Northwardly along the Westerly line of said street fifty feet; thence (4) in a Westerly direction parallel with Atlantic Avenue eighty-six feet six inches; thence (5) in a Northerly direction parallel with Connecticut Avenue one hundred and fifty feet to the Southerly line of Atlantic Avenue; thence (6) Westwardly along said line of Atlantic Avenue seventy-six feet to the place of beginning.

[F. R. Doc. 53–899; Filed, Jan. 26, 1953; 8:52 a. m.]

AAGE CHRISTIANSEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property

Aage Christiansen, Rlisskov, Denmark; Claim No. 7838; property described in Vesting Order No. 290 (7 F. R. 9833, November 26, 1942), relating to Patent Application Ser. No. 322,481 (now United States Letters Patent No. 2,356,382).

Executed at Washington, D. C., on January 21, 1953.

For the Attorney General.

[SEAL] ROWLAND F KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53–900; Filed, Jan. 26, 1953; 8:52 a. m.]